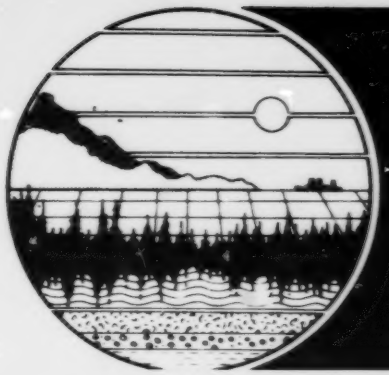

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ADMINISTRATION AND MANAGEMENT OF FEDERAL MARINE FACILITIES AND LANDS IN CANADA

A. Le Hénaff

April 1986

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RÉSUMÉ

Cette étude vise à discuter des rôles de tous les intervenants dans l'administration et la gestion des installations maritimes au Canada. Les diverses tentatives de rationalisation que certains d'entre eux ont entrepris sont identifiées et examinées dans un contexte historique. Pour éclaircir les complexités qui existent dans ce domaine, le rôle de chaque acteur est discuté. La structure administrative et le processus gestionnel du domaine foncier maritime font partis des aspects examinés. Une synthèse des éléments identifiés au cours de l'étude est présentée en dernière partie et vise à mettre en valeur certaines tendances, préoccupations et problèmes qui existent encore à ce jour.

ABSTRACT

This study was undertaken to examine roles and responsibilities of federal departments involved in administration and management of marine facilities. Historical background on periodical reviews of use and function of marine lands and facilities is provided to further understand how complexities relating to marine facilities management and administration evolved. The roles of the individual agencies have been examined as well as administrative structure and management process for marine lands. The last section of this document comprises a synthesis of facts, trends, issues, concluding with the problems that still need resolution.

ACKNOWLEDGEMENTS

The author wishes to extend her thanks to each and all of the individuals contacted throughout the study that responded to questionnaires and/or interviews and those who revised and corrected the texts dealing with their particular sections. Their contribution have been invaluable.

I am also grateful to my colleagues of the Federal Land Services Division for their constructive criticism and suggestions during the initial and final preparation of the manuscript.

The word processing company APH (MICOT) Canada Inc. deserves much praise for the quick, reliable and professional service they provided from the first draft to the final manuscript.

PREFACE

Many federal departments have both functional and operational roles in the administration of marine facilities and many have also had similar mandates in holding lands on which marine facilities were present. Over the past 15 years, there have been many attempts to modify the administration of marine facilities and clarify the management of lands occupied by federal marine facilities. The Federal Land Services Division of the Land Use Policy and Research Branch, Environment Canada, has compiled this summary report in an effort to help clarify federal roles and responsibilities as they existed until 1985.

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PART 1

INTRODUCTION

1.1 Marine Perspective

Waterways have always played an important part in Canada's development. During the colonization and early development of communities, waterways provided a quick and reliable mode of transportation for goods and people. Strategic locations, primarily places that could be used as natural harbours, were chosen along shorelines of rivers, lakes and oceans. Due to their strategic location many of the early ports and harbours became major centres for economic and social development. Most ports were owned and operated privately or by municipalities.

In the past decade, changes in the technology demand and increased leisure time have resulted in the need to expand some port/harbour services, and/or restructure and decentralize others. Shipping and cargo handling methods have evolved towards an increased use of containers. Space and water requirements important to commercial water transport have therefore changed, and port facilities are decentralizing away from old port areas towards deeper water locations.[1]

Pleasure boating and sport fishing, both important recreational activities, also place demands on marine facilities and Coast Guard Services. In 1982 there were 1.7 million pleasure craft in Canada,[2] and since the past ten years these vessels increased by about 7%. Commercial fishing vessels, on the other hand, numbered 41,750. Lands used or reserved for marine transport purposes, be they commercial or recreational, involve some highly valued lands because of their shoreline location and frequent proximity to urban centres. When ports and harbours expand, impacts on land and surrounding land uses can be significant since these facilities can occupy huge tracts of land with very stringent locational requirements.

The administration and control of federal marine facilities in Canada has evolved since Confederation in response to changing needs and aspirations of successive governments and the public at large. Similar mandates and programs have led to some confusion as to centres of responsibility.

The principal federal departments and agencies involved are: the Department of Transport (Harbours and Ports, the Canadian Coast Guard, the St. Lawrence Seaway Authority, the Canada Port Corporation, the Harbour Commissions); the Department of Fisheries and Oceans (Small Craft Harbours); the Department of Environment (Parks Canada); Public Works Canada; the Department of Indian and Northern Affairs; and, finally, CN Marine.

Given the wide range of departments and agencies involved and the differences in program requirements, the term "marine facility" has been defined for this study to include:

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1 MSUA, 1978, The Urban Waterfront: Growth and Changes in Canadian Port Cities, p. 43.

2 Transport Canada, 1984-85 Estimates. Part III. Expenditure Plan, p. 3-13.

breakwaters, slipway sites, wharves, skidway sites, navigational aids, and any related device or holding used for moving goods and/or people for commercial and recreational purposes on salt or fresh water.

1.2 Approach

1.2.1 Purpose of the Study

The general purpose of this study is to examine and document the nature and extent of federal involvement (up to 1985) in the management and administration of federal marine facilities and related lands, to (a) assist federal central agencies and affected departments in their deliberation on land management policy and decision-making, and (b) inform the interested public of port management in Canada.

To meet these objectives, the study examines the range of marine-related facilities available in Canada, along with the programs and services they provide as well as the operational requirements they have. Mandates, legislation and policies that have evolved and are in force as of 1985 are identified and, to the extent reported by departments participating in the study, changes in these situations (planned or proposed) are also reported. Specific sub-objectives established to facilitate the research were as follows:

a - Identify and inventory Departments/Agencies involved in the administration and management of marine facilities.

b - Identify and summarize the mandates associated with the administration and management of marine facilities, including legislation, policies and guidelines.

c - Identify and describe marine facility management programs objectives and limits of responsibility.

d - Identify the nature and extent of marine program requirements for land.

e - Review recent trends and developments and identify problem areas or issues associated with the administration and management of marine facilities.

1.2.2 Methodology

The study outline in Appendix 2 provided the questions asked to participants in the study. Resource persons interviewed were either visited or phoned. Those contacts not interviewed were sent a questionnaire along with the outline.

Once responses were received and other sources of information compiled, each section was drafted and sent out to appropriate resource persons for correction and revisions so as to ensure accuracy and pertinence of the information.

1.2.3 Limitations and Constraints

Project Limitation

Based on preliminary research, it was determined that only the largest marine land holders warranted review. Land holders such as the Canada Land Companies were not reviewed because of the spherical of their mandate for planning and development of waterfront lands for other than marine facility purposes.

Program changes

As research for this study was being completed changes in some departmental programs occurred. Certain departmental program functions and responsibilities have been transferred to other departments; others have simply been consolidated. Information provided for those programs is therefore less detailed than for others. Changes are expected to continue as reorganization of federal departments and programs occur.

Data

The Central Real Property Inventory (CRPI), maintained by Public Works Canada (PWC), permitted identification of most of the federal government's properties on which marine facilities are located. Selected variables included holding authority, province, land use code, tenure and percent of land under water. Other compilations using various sources have highlighted some discrepancies in the CRPI inventories. Such differences can be explained by deficiencies in the CRPI, by errors in reporting (e.g. percent land under water; land use codes and) by the fact that many departments do not report changes in the status of their holdings to the CRPI on a regular basis.

1.3 Report Structure

The report has been structured in four parts. The first part intends to show the approach used as well as perspective as to why this study was done. Part two provides a quick but useful overview of the evolution of the Canadian port system. It also highlights the basic role of the departments and agencies of various levels which participate in the administration and management of marine facilities in Canada. Some indication as to the extent and importance of marine lands in Canada is given.

Part three presents a detailed discussion on each department and agency identified as playing a role in the administration and management of marine facilities. Each discussion contains a section explaining administrative structures and another dealing with property management in which property inventory, financial arrangements and management process are reviewed.

Finally, the last section summarizes the facts given throughout the report. These summaries include, important highlights, trends and issues regarding marine land and facilities management and administration in Canada.

PART 2

OVERVIEW OF FEDERAL MARINE LANDS AND FACILITIES

2.1 Historical background

Rights and jurisdiction over navigation and shipping were delegated to the federal government through the **Constitution Act**, previously known as the **British North America Act** (1867). Shortly after this Act came into effect, the **Department of Marine and Fisheries Act** (1868) was promulgated, enabling this new department to manage harbours, ports, piers, and wharves and appoint Harbour Commissioners and Masters.[3] Since then, a number of attempts to re-organize the administration and control of ports in Canada have taken place. One of the first major reports on the subject was prepared by A. Gibb at the request of the Government of Canada in 1931. The Gibb report focused mainly on better methods of harbour administration and represented an initial attempt to restructure Canadian port development in a logical manner. Gibb presented two proposals:

1. establishment of a local control structure by means of which a harbourmaster would be assisted by a local advisory council to ensure that municipal and local interests were integrated into the administration of the port (harbour commissions);

2. establishment of a central independent control structure, i.e., responsible for finance, accounting, civil engineering and construction works, general operations as well as marine traffic and statistics. This central control structure would be operated by a central ports Board (National Harbours) reporting to the Marine Minister and would be invested with powers concerning fees, salaries, conditions of employment, adjudication and supervision of contracts, hiring of technical experts, general control of construction and port operations; it would be given additional responsibilities such as the dredging of channels, construction and maintenance of piers, the buoying and lighting of channels. Moreover, this Board could set fees, charges and rates based on the ability of the port to compete with foreign ports. This Board would administer all major ports (inland and marine).

The **National Harbours Board Act** came into effect in 1936 implementing the latter recommendation from the Gibb report. Only federal commissioned ports were incorporated as national harbours, thus facilitating the transfer of local port control into the hands of the federal government and helping several ports to emerge from very difficult financial straits. Also as a result of the Gibb report, Harbour Commissions at Montreal, Quebec, Three-Rivers, Chicoutimi, Halifax, Saint John and Vancouver were disbanded and brought under the administration and management of the new National Harbours Board. Commissions that incorporated municipal representatives continued as before under specific acts of Parliament.

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3 MSUA, op. cit.

The increased activity resulting from the construction of the St. Lawrence Seaway system, led to a need for the reorganization of harbour administration and a consolidation of the **Harbour Commission Act.** **The Harbour Commission Act** passed in 1964 provided for the establishment of commissions by Order-in-Council as opposed to an Act of Parliament.

During the period 1964 to 1972, the Canadian port system continued to experience difficulties. Ports could not adapt their operations to the requirements of users and even less to plan and finance improvements that would have allowed them to remain competitive in face of technological change. Competition from U.S. ports on the east and west coasts was a prime factor. Municipal, regional and provincial interests and concerns for port operations and developments contributed to these pressures and created the need for a reorganized Canadian port system, complete with the requisite national policies and planning to ensure the most effective use of resources.

The reorganization started in 1973, with the Department of Transport (DOT) transferring some of its marine program responsibilities - i.e., those relating to the use, management, and maintenance of any harbour used primarily for fishing or recreational vessels-to Small Craft Harbours (SCH).

The rationalization process also saw Public Works Canada (PWC) change its program responsibilities in 1973. Dredging (design and execution) was formerly the full responsibility of that department with the exception of agencies such as Harbour Commissions, the Seaway Authority, etc. This responsibility now rests with DOT, although PWC has, to date, retained funds in order to respond to Department of Fisheries and Oceans (DFO) dredging requirements. A General Service Agreement exists between PWC and program departments enabling PWC to dredge and provide associated engineering services.

Following the speech from the Throne in February 1974, the Federal Government announced its intention to develop a new port policy for Canada to eliminate existing legislative complexities, fragmentation of port policy, planning and operations in Canada while at the same time, ensuring autonomy for local port operation. A Special Interdepartmental Committee was thus established to review the administrative structures of harbours and was under the direction of G.A. Scott, Senior Assistant Deputy Minister of the Ministry of Transport. The Scott Committee recommended in its report the establishment of a single comprehensive port organization, based on a national port policy and planning function, local autonomy for major ports management, and regional participation in the port planning process. This Committee also recommended the integration of the system into the Transport Canada Marine Transportation Administration (CMTA) so that ports could better meet the requirements of the national transportation system.[4] Cabinet approved this concept and directed that a Task Force under the CMTA develop the organizational, personnel and financial details for this new structure, and prepare the

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4 Transport Canada, 1976, Canadian Ports: A New Magement. Marine Port Policy Implementation Team. TP344, p. 2

underlying principles of a new legislation on Canadian ports which was to establish a single harbour management system grouping all ports, public harbours, and government wharf facilities, integrate port planning into national marine planning, and encourage local interest in the development and operation of major ports. The proposed legislation was never adopted in Parliament and was replaced by yet another Act, the **Canada Ports Corporation Act**, promulgated in 1983. The new Canada Ports Corporation, reflecting this new policy in port operation was born.

The **Canada Port Corporation Act's** underlying principles are that it recognizes regional representation on the National Harbours Board (NHB) and the need to create Local Port Corporations (LPC) that have a high degree of autonomy to operate and manage ports following the guidelines of the national policy. The Act affects commercial ports to varying degrees, but one of the major changes is that the Minister of Transport is responsible for the maintenance, repairs, acquisition, and construction of all facilities, previously a part of PWC's mandate.

Since the **Canada Port Corporation Act** was put in place, six Local Port Corportations were identified. They are Vancouver, Montreal, Prince Rupert, Québec, Halifax and St. John's. No other substantial reviews have taken place.

A chronology of events is presented in Table 1.

2.2 Jurisdiction

2.2.1 Federal

The federal government has jurisdiction over all lands below ordinary low water mark[5]. It has direct jurisdiction over all navigable waters, public ports and harbours, and related activities such as ice-breaking, navigational aids, dredging, and spawning grounds for fish under Section 91 and Schedule III of the **Constitution Act (1867)**. The Act stipulates that beds of all public harbours are under federal jurisdiction and that beds of most other areas are vested under the provincial Crown. However, the former British North America (BNA) Act did not specify which ones were public harbours nor their geographical limits, and the Constitution Act still does not clarify this situation. The ownership of water lots and harbour beds is not automatically conveyed to the federal Crown when the government declares a body of water to be a Public Harbour (under the **Canada Shipping Act** 1970). Should the federal government want to plan and establish a harbour, agreements must then be established between the federal and provincial governments. There are two such agreements: the **British Columbia Six Harbours Agreement** (1924) and **Ontario Harbours Agreement Act** (1963) which transferred the title of

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5 Brian Slack. 1975. Harbour Redevelopment in Canada. A report submitted to the Ministry of State for Urban Affairs. p. 33.

TABLE 1: CHRONOLOGY OF EVENTS IN PORTS RATIONALIZATION PROCESS

1911 Act concerning Toronto harbour commissioners is promulgated. **Toronto Harbour Commissioners Act.**

1912 **Hamilton Harbour Commissioners Act** is promulgated.

1931 A. Gibb prepares a report analysing the port system in Canada.

1936 The National Harbours Board is created to provide financial assistance to major ports. The creation of these boards is the direct result of the application of A. Gibb's recommendations.

1964 **Harbour Commissions Act** comes into effect. This Act strengthens the local autonomy of all ports not under the National Harbours Board.

1971 Creation of advisory harbour administrations for nearly all ports under the National Harbours Board

1972 Transfer of canals from DOT to Parks Canada (then part of the DIAND).

1973 Transfer of recreational harbour facilities from DOT to Small Craft Harbours.

1974 The government announces its intention to reshape the management of Canadian ports.

1975 The interdepartmental committee directed by Scott recommends greater local autonomy for major ports. To that end, ports must be regrouped into a single port management system.

1976 The government approves the Scott report's recommendations and orders the drafting of the Ports Bill. The bill is prepared by a commission under the direction of the Marine Transportation Administrator.

1981 The Ports Bill is not adopted by Parliament, but a new ports policy seeks to change primarily those aspects that seem essential to local autonomy and flexibility.

1982 The Minister of Transport tables another bill on Canadian ports in the House of Commons, granting greater autonomy of operation and administration to the local administrations of ports under the National Harbours Board.

1982 Responsibility for funding and programming of the PWC Marine Program are transferred to the Minister of Transport.

1983 'The provisions of the **Canada Ports Corporation Act** are applied (the Act was proclaimed on 24 February 1983) and the members of the Canada Ports Corporation (replacing the National Harbours Board) are appointed. In July 1983, Montreal and Vancouver become local port corporations.

beds for 27 harbours to the federal government. No such agreements have been signed with other provinces.

2.2.2 Provincial

Provincial governments also play roles in the management of marine facilities. The Newfoundland and Quebec governments, for example, receive a direct subsidy from Transport Canada for small provincial ferry services. On the west coast, ferry services is funded by the British Columbia government but receives an annual grant indexed to cover inflationary costs for operating ferry and coastal shipping. Provincial governments also control all lands save federal lands above the high-water mark, permitting direct influence on waterfront development[6] and administer intraprovincial ferry wharves.

2.2.3 Private

Privately-owned facilities for the handling of iron ore, petroleum, coal, grain, and pulpwood also exist. The Iron Ore Company of Canada, Port Cartier, Gulf Oil Canada, Canadian Pacific, and the Aluminium Company of Canada Ltd. own extensive wharves and associated cargo-handling facilities in various parts of the country, usually within existing harbour facilities. These facilities are regulated under the harbour authority responsible for the management of the port.

2.3 Nature and Extent of Marine Lands

There are three types of uses associated with marine land and marine facilities in Canada: recreation, fishing, and commercial transportation.

Commercial ports in Canada are important as they account for almost 90% of the commercial waterborne activities in Canada. The 15 ports under the newly created Canada Ports Corporation (formerly National Harbours Board) alone handle 50% of Canada's waterborne commerce. Harbour Commissions, which also operate with a high degree of autonomy, handle 20% of Canadian port tonnage. Those public harbours and government wharf facilities administered directly by DOT (through Harbours and Ports Directorate HQ and regions) (over 350 smaller ports) handle 20% of Canada's waterborne traffic, leaving about 10% to privately owned facilities which are primarily resource-oriented.

Fishing and recreational harbours and facilities under the administration of SCH (DFO) involved over 2,500 facilities.

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6 Slack, op. cit. p. 33.

Calculations from various information sources have resulted in different totals regarding the amount of land used for federal marine related purposes. According to compilations by Foo (1984), total federal lands used as marine lands and facilities represent 118 659 ha or 33 766 ha dry land.[7] Other sources of information, such as the CRPI indicate that total marine lands cover 152 748 ha or 53 376 ha of dry land. Interpretation of what is to be reported is probably a major factor in explaining these discrepancies.

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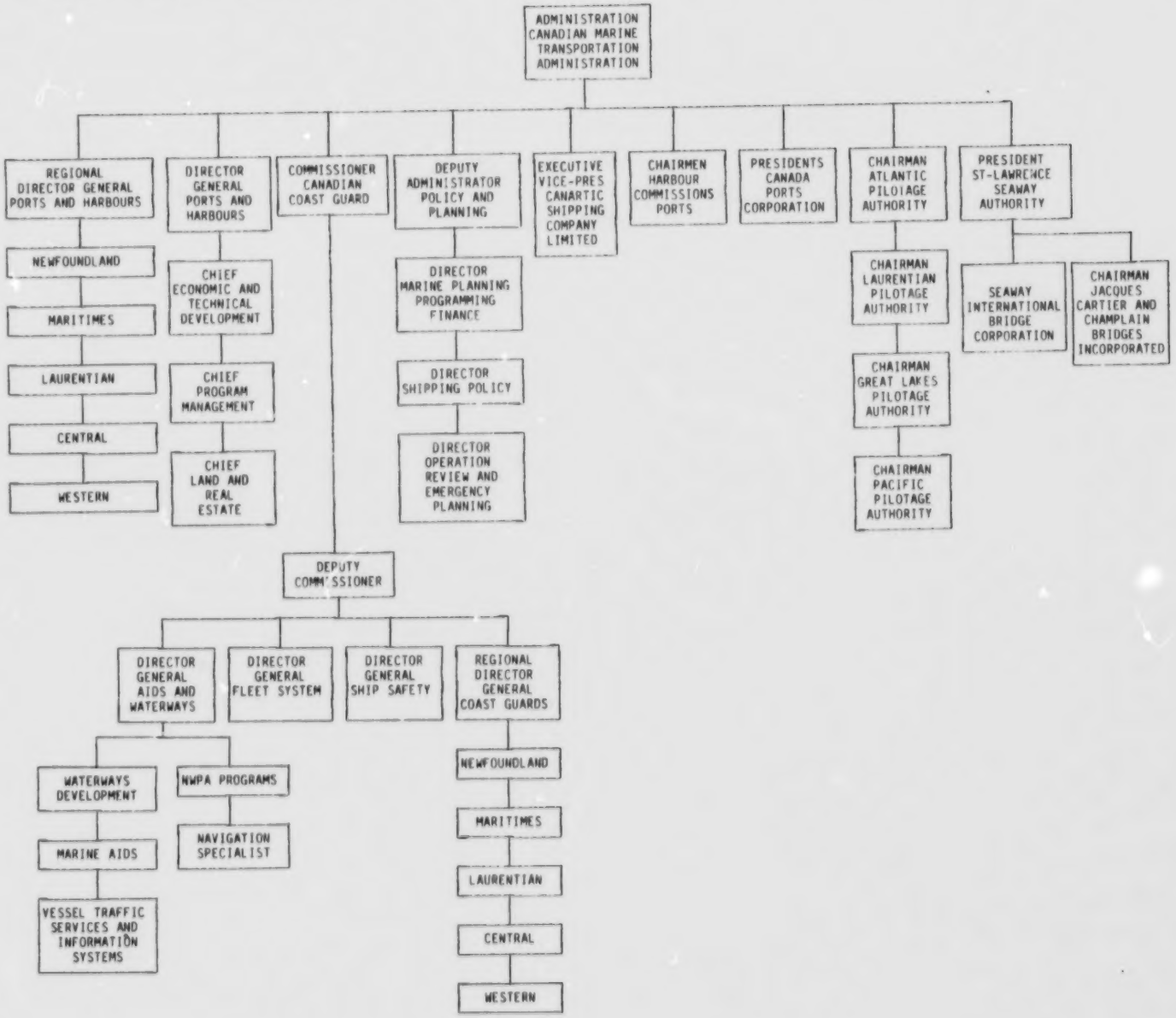
7 Janet Foo, 1984, "Water Transport" Unpublished Contract, Environment Canada.

PART 3

DEPARTMENTS AND AGENCIES: ADMINISTRATION AND MANAGEMENT PROFILES

FIGURE 1: ORGANIZATIONAL CHART OF MARINE PROGRAM



3.1 DEPARTMENT OF TRANSPORT

The federal government through Transport Canada has extensive responsibilities with respect to the marine transportation system in Canada. The **Constitution Act** has devolved responsibility upon Transport Canada to coordinate, regulate, and "ensure safety and efficiency with respect to aeronautics and to navigation, shipping facilities, ferries, railways, and canals".[8]

Legislation related to federal marine and terminal activities includes the following:

- the **National Transportation Act**;
- the **Canada Shipping Act**;
- the **Navigable Waters Protection Act**;
- the **Arctic Waters Pollution Prevention Act**;
- the **Canada Ports Corporation Act**;
- the **St. Lawrence Seaway Authority Act**;
- the **Pilotage Act**;
- the **Harbour Commissions Act**;
- the **Toronto Harbour Commissioners Act**;
- the **Hamilton Harbour Commissioners Act**;
- the **Government Harbours and Piers Act**;
- the **Water Carriage of Goods Act**;
- the **Government Vessels Discipline Act**.

Organization

CMTA

Transport Canada has assigned to the CMTA the responsibility of marine land and facilities management which constitute the MTP program.

Coordination of the administration and management of federal marine and terminal activities are amongst the Canadian Marine Transportation Administration's (CMTA) responsibilities. The Marine Administrator directs the formulation and implementation of marine policies and programs and is also responsible for the management of all operational, developmental and regulatory activities of the Department in support of marine transportation and the development of ports and marine commerce in Canada. The individual operating components of the CMTA (see Figure 1) are autonomous in performing their activities, but are subject to central management control exercised through the administrator in the areas of:

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8 Transport Canada, 1984-85 Estimates. Part III - Expenditure Plan, p. 1-3.

- policy setting;
- major resource allocation and investment decisions;
- operational decisions affecting more than one component;
- the planning, programming, budgeting and finance processes;
- senior management information systems; and
- operational review and performance measurement.

According to the Transport Canada 1984-85 Estimates, the department has many activities dealing with marine environmental considerations: ship safety, emergencies, and navigable waters protection. The CMTA administers the **Canada Shipping Act** on behalf of the Minister of Transport. Amongst its many responsibilities, the CMTA is responsible of developing and promulgating regulations and standards, investigating and enforcing pollution regulations concerning ships. Clean-up of pollution from shipping, and acting as a resource agency for marine pollution incidents from other sources are also part of its duties. The CMTA evaluates, acquires and maintains the Coast Guard's pollution countermeasures equipment and regularly provides exercises for Coast Guard and other personnel.

The land management responsibilities of individual operating components of the CMTA, namely the Harbours and Ports Directorate, Canadian Coast Guard, St. Lawrence Seaway Authority, Canada Ports Corporation and Harbour Commissions are reviewed separately.

Marine Transport Program (MTP)

The Marine Transportation Program (MTP) is involved in marine land management principally through:

- provision of navigation services (e.g., traffic control, conventional aids such as lighthouses, radio aids and buoys, and pilotage services);

- development, operation, and maintenance of a national network of some 13 ports, 9 commission harbours, and 366 public harbours and wharves.

- development and maintenance of waterways (e.g., operation of St. Lawrence Seaway).

- provision of marine freight services principally in the Arctic.

Degree of Independance and Responsibilities

Transport Canada administers four types of port facilities: those commercial ports that fall under the tutellage of Ports Canada, those commercial ports managed by Harbour Commissions, public harbours managed by a Harbour Master named by the Minister and finally government wharves administered by a wharfinger.

Other marine facilities under DOT's responsibilities are navigational aids (CCG) and the St. Lawrence Seaway navigation, operation and maintenance (SLSA).

Part of the agencies within the CMTA we have reviewed and that operate under the MTP are crown corporations such as the SLSA and CPC. Other agencies are HPD, HC, and CCG. All of these agencies and corporations play a distinct role in the Canadian Port System and are set-up to functionally complement one another.

Property Inventory

Harbours and Ports Directorate, and Canadian Coast Guard holdings are reported under the CMTA (DOT) inventory (Table 2). These holdings represent approximately 3647 properties that cover 45 646 ha. Of this total 50 holdings have a percent of land under water lowering the dry land area to 29 706 ha. The Canada Ports Corporation and the St. Lawrence Seaway Authority account for an estimated 36 000 ha and 11 000 ha since they report independantly on their own holdings. Approximately 92% of the Ports Corporation property is under water.

TABLE 2: DEPARTMENT OF TRANSPORT CRPI INVENTORY

PROVINCE	TYPES OF FACILITIES	NO. OF PROPERTIES	AREA ADMINISTERED (HA)	TENURE	AREA OWNED (HA)	NO. OF PROPERTIES WITH % LAND UNDER WATER	LAND OWNED (HA)
Nfld	Public harbour, navigational aid, light side marine haulout	259	14 020.9	15 leased 160 others	13 986.0	4	7 128.8
PEI	marine depot, right-of-way breakwater, range light beacon site, fog alarm	89	57.7	16 leased	56.2		52.2
NS	Light site, auto-ferry terminal, boat landing site, wharf, marine aid centre, slipway, lightstation	405	5 081.3	30 leased	5 070.7	6	5 027.2
NB	Lighthouse & access, Lightsite, for alarm station, easements, wharfs improvements	224	115.8	11 leased	109.0	2	97.3
Qué.	Lightsite, easements, navigational aid, waterlots radio station, lightstation	591	6 606.8	107 leased	6 490.1	7	6 435.3
Ont.	Dock & boat facilities navigational light	285	13 335.2	52 leased	13 184.4	19	6 783.7
Man.	beacon	32	355.35	2 leased	344.05		355.35
Sask.	beacon, radio range site	26	478.8		478.8		478.8
Alta.	Wharf site, marine storage & warehouse. Beacon, access site.	7	5.7		5.7	2	3.0
B.C.	Fog alarm station, lighthouse site, aids to mariners	1 359	2 477.2	608 leased	1 437.1	14	274.0
Yukon	directional beacon	11	772.5		772.5		772.5
N.W.T.	navigational aid, sea plane base	359	2 339.2		2 339.2	36	2 298.3
	Totals	3 647	45 646.4	841 leased	44 273.7	90	29 706.4

3.1.1 HARBOURS AND PORTS DIRECTORATE

Marine Facilities Administration

Transport Canada's public port facilities are administered by the Harbours and Ports Directorate (HPD) which is an integral component of the Canadian Marine Transportation Administration. Its roles and responsibilities are described as follows: "Transport Canada is responsible for planning and providing adequate public port facilities to serve commercial interests and for improving or phasing out facilities in response to economic growth or changes in traffic patterns resulting from new industries, new types of ships and new developments in cargo handling. Transport Canada also establishes and collects fees from users of port facilities, where all rates assessed by ports under federal jurisdiction are subject to departmental approval."[9] As well as managing public harbours, the HPD is responsible for providing dredging facilities to those harbours and ports under their jurisdiction.

There are three divisions of responsibility within the Harbours and Ports Directorate: Port Development, Program Management, and Land and Real Estate Branch. The Port Development Branch is responsible for socio-economic and planning studies on ports and harbours. The Land and Real Estate Branch manages all real estate assets as well as acquisitions, disposals, and lettings agreements for the Directorate.

Ports and Harbours also has regional representatives through which its operations and program objectives are met. Their representatives are based in Newfoundland (including Labrador), Maritimes (including the Magdalen Islands), Laurentides, Central (Ontario and Manitoba) and Western (Saskatchewan, Alberta, B.C.) administrative regions. In each region, a Regional Director General has a small management and technical staff and in some cases of larger ports, a local public servant port manager. The Director Generals report to a Deputy Marine Administrator in HQ. Functional direction is provided by the Ottawa-HQ. The Regional Director Generals are given the task to direct Regional Coast Guards and report to the Commissioner of the Canadian Coast Guard.

All public wharves are managed under the **Public Harbours and Port Facilities Act**[10] and pursuant Regulations.[11] The port facilities would include any wharf, pier, breakwater, or other works, or installation installed on or adjacent to navigable waters as well as any land to which they are attached. The Act encompasses Part XII of the **Canada Shipping Act** as well as the **Government Harbours and Piers Act**, and provides strengthened responsibilities for the

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9 C.E. Clarke. 1984. "Water Transport," in Corpus Almanac and Canadian Sourcebook. Vol. 1. J. 10-13. Southam Communications Ltd.

10 R.S.C. c. G-9, Amended by S.C. 1977-78, c. 30, and 1980-81-82, c. 121.

11 P.C. 1983-2547.

management of public harbours and port facilities within the national port system. The Minister of Transport in this new Act has responsibility for maintenance, repair, acquisition, and construction of all works under his control and management. Section 7 of the Act provides the authority to control all developments within public harbours. The Harbours and Ports Directorate administers those public harbours which are not financially self-sufficient in supporting commercial transport, for example, smaller ports with limited traffic and providing access to isolated communities. There are also larger ports that support local industries significant to regional economies. The Harbours and Ports Directorate has overall planning responsibilities for both private and public facilities within public harbours. A proposed policy has been prepared describing in detail the roles and objectives of the Directorate, but it has yet to be ratified.

The General Service Agreement between Transport Canada and Public Works for the Marine Program was signed in December 1981 and designates the terms by which realty and design services are provided to Transport Canada. These services include construction and design of public wharves and harbours, piers, and ferry terminals, as well as dredging within the limits of TC's facilities.

HPD also provides financial assistance to Harbour Commissions, primarily through grants and loans for major port developments (construction work). Financial assistance has totalled $2.1 million dollars in 1983.[12]

According to the **Public Harbours and Port Facilities Act**, a public harbour may be proclaimed by the Governor-in-Council; any area covered by water within the jurisdiction of the Parliament of Canada may be proclaimed a public harbour and the limits defined. For a public harbour to be proclaimed certain conditions must be met: the harbour must be currently active; it must respond to marine transportation system objectives; it must meet other government objectives regarding environmental protection or regional and economic development; finally, the infrastructure should be provided within the harbour limits. (Harbours and Ports Directorate, Policy Circular no. P1. 1984). With the exception of Ontario (**Ontario Harbours Agreement Act**, 1963) and (**British Columbia Six Harbours Agreement**, 1924) the ownership of harbour beds is still subject to federal provincial negotiation. Ownership of harbour beds, adjacent land and infrastructure is not a pre-requisite for proclamation of a harbour as a public harbour. It appears though that the department of Justice has advised HPD that any improvement/work in the harbour would be given approval where title has been secured by the federal government.

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12 Transport Canada, 1984-85 Estimates, Part III, p. 3-35.

Property Management

Property Inventory

Transport Canada administer facilities or harbours at 667 locations, and 554 have been proclaimed public harbours.[13] Most of the public harbours have federal transportation/ fishing/recreational facilities on them; yet. Some harbours have no formally described limits; and some others are inactive.[14]

As for property records, they are maintained by the Real Estate Division. A copy of these records is also kept in the Property Records section of the Legal Branch of the Department. Some of the shortcomings in the property records relate to the transfers in responsibility from the Department of Public Works to the Department of Transport, for which the records need to be updated and/or verified. The data base is to be computerized. The CRPI data include properties belonging to the Department, such as Harbour Commissions (i.e., those that belong to Her Majesty the Queen) as well as Harbours and Ports' properties. A breakdown of public harbours by province under the administration of Transport Canada is shown in Table 3.

Financial Arrangements

Transport Canada's fixed assets totalled $39 million, and net revenue FY 1981-82/1982-83 from its wharf and harbours amounted to $3.4 million and $685,000 respectively. In 1984-85, $6.7 million will be recovered through wharfage and harbour charges. These revenues are credited to the Consolidated Revenue Fund.

Management Process

Ports and Harbours manages its properties according to its own policy on ports management, based upon the Federal Land Management Principle in the Administrative Policy Manual. Mechanisms involving transactions such as acquisition/disposal are described in the manual. For example, should acquisition of land be required, a funding certificate is obtained and TC authorities develop a proposal for acquiring the site. Acquisition or disposal of a property may also be done through transfers, using Orders-in-Council.

Ports and Harbours administers some 1200 agreements for use of its lands. These agreements include leases and lettings and must all be approved by the Minister of Transport.

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13 Transport Canada. Marine Administration. 1984. "Proclamation of Public Harbours". Unpublished paper, p. 1.

14 Ibid., p. 1.

TABLE 3: PUBLIC HARBOURS UNDER ADMINISTRATION OF TRANSPORT CANADA

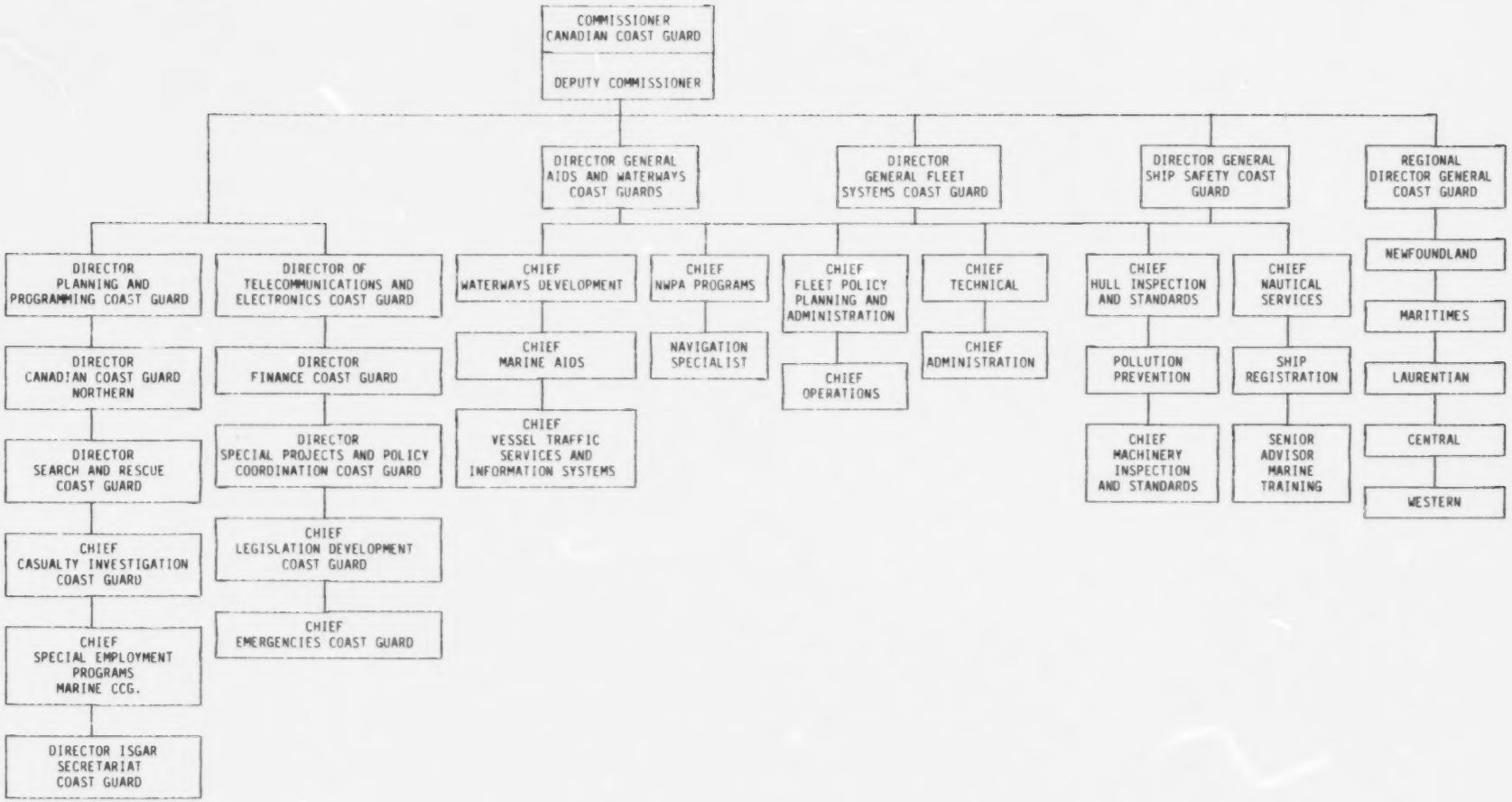
Province	No. of Public Harbours
NWT	22
British Columbia	111
Alberta	3
Manitoba	0
Saskatchewan	5
Ontario	68
Quebec	65
New Brunswick	11
Nova Scotia	34
PEI	10
Newfoundland	60
TOTAL	389

Source: Harbours and Ports. 1983. Transport Canada Inventory, revised to December 15, 1983.

The operational needs of marine facilities are determined by means of the planning process directed by the Port Development Branch. Studies aimed at establishing facility requirements to the year 2002, articulating a long-term development strategy, and formulating a comprehensive master plan have been prepared for all regions of the CMTA. These studies have been jointly prepared by representatives from Transport Canada, the National Harbours Board, Public Works Canada, DREE, Pilotage Authorities, and other relevant provincial departments. The purpose of the studies has been to identify each public port's economic and social importance and articulate policies for port development and use.

Local management of HPD ports is entrusted largely to appointed wharfingers and harbour masters.

FIGURE 2: ORGANIZATIONAL CHART FOR CANADIAN COAST GUARD


COMMISSIONER CANADIAN COAST GUARD
DEPUTY COMMISSIONER
DIRECTOR PLANNING AND PROGRAMMING COAST GUARD
DIRECTOR CANADIAN COAST GUARD NORTHERN
DIRECTOR SEARCH AND RESCUE COAST GUARD
CHIEF CASUALTY INVESTIGATION COAST GUARD
CHIEF SPECIAL EMPLOYMENT PROGRAMS MARINE CCG.
DIRECTOR ISGAR SECRETARIAT COAST GUARD
DIRECTOR OF TELECOMMUNICATIONS AND ELECTRONICS COAST GUARD
DIRECTOR FINANCE COAST GUARD
DIRECTOR SPECIAL PROJECTS AND POLICY COORDINATION COAST GUARD
CHIEF LEGISLATION DEVELOPMENT COAST GUARD
CHIEF EMERGENCIES COAST GUARD
DIRECTOR GENERAL AIDS AND WATERWAYS COAST GUARDS
CHIEF WATERWAYS DEVELOPMENT
CHIEF MARINE AIDS
CHIEF VESSEL TRAFFIC SERVICES AND INFORMATION SYSTEMS
CHIEF NWPA PROGRAMS
NAVIGATION SPECIALIST
DIRECTOR GENERAL FLEET SYSTEMS COAST GUARD
CHIEF FLEET POLICY PLANNING AND ADMINISTRATION
CHIEF OPERATIONS
CHIEF TECHNICAL
CHIEF ADMINISTRATION
DIRECTOR GENERAL SHIP SAFETY COAST GUARD
CHIEF HULL INSPECTION AND STANDARDS
POLLUTION PREVENTION
CHIEF MACHINERY INSPECTION AND STANDARDS
CHIEF NAUTICAL SERVICES
SHIP REGISTRATION
SENIOR ADVISOR MARINE TRAINING
REGIONAL DIRECTOR GENERAL COAST GUARD
NEWFOUNDLAND
MARITIMES
LAURENTIAN
CENTRAL
WESTERN

3.1.2 CANADIAN COAST GUARD

Marine Facilities Administration

The Canadian Coast Guard (CCG) is a component of the Canadian Marine Transportation Administration and was introduced in 1962. CCG responsibilities with regard to marine facilities include the provision of waterborne services that support navigation, such as radio stations, visual aids, buoys, lighthouses, shorelights, and beacons.

The Coast Guard Administration is headed by a Commissioner, aided by a Deputy Commissioner, a Director General for each region, and District Managers. There are three branches in Headquarters (see Figure 2). The CCG, through the Ship Safety Branch administers regulations, for instance, that deal with cargo inspection, electrical standards for vessels, inspection of radio aids, and search and rescue operations. The Coast Guard also establishes standards for storing and loading/unloading cargo.

The fixed Navigational Aid Division-Marine Aids Branch of the Aids and Waterways Directorate is responsible for property management and operational standards for fixed navigational aids. Marine facilities under their ownership include navigational aids, which are devices or systems, external to a vessel, provided to help a mariner determine his position and course and warn him of dangers or obstructions or advise him of the location of the best or preferred route (i.e., lightstations, daybeacons, fog signals, buoys). Other types of aids to navigation located on near shore, on piles, or on rocks in navigational channels (function daybeacons, range lights) are also included under CCG administration.

Channel dredging responsibility falls under the Waterways Development Branch of the Aids and Waterways Directorate. The General Service Agreement between PWC and the CCG, covers main channel dredging through the Shore Protection Branch, which is part of the Transport Canada transportation program administered by the Coast Guard.

The Coast Guard Commissioner has functional authority over the pilotage authorities that are crown corporations established under the **Pilotage Authority Act**. The Coast Guard operates under the **Canada Shipping Act** which dates back to 1906. The Coast Guard has played a role in navigation by protecting navigation channels and acting as the Steward of Marine Heritage. The Shipping Act is due to be replaced by the **Maritime Code** which will be useful in regulating commercial shipping activities. All the responsibilities for marine facilities and services outlined in the previous sections are delegated according to the current **Canada Shipping Act**.

The Regional Office-Operations Branch is in charge of the operation, maintenance, selection of sites, and collection of design tasks for marine facilities. However, real estate title work is

FIGURE 3: LOCATION OF CANADIAN COAST GUARD BASES

done by PWC, which is responsible for land acquisition and the majority of all other base sites. the locations of CCG bases and sub-bases are shown in Figure 3.

Property Inventory

Internal records on the Coast Guard's properties are maintained with the property records unit of the Legal Services Section of the Departmental General Council of Transport Canada. Property information is kept on cardex file and includes site plans, area size, value of property, when and how acquisition took place, and current land use. The Coast Guard regions keep a copy of all transactions along with a plan of every property in their administrative area.

About 272 lighthouses are used by the CCG. Fixed aids to navigation total 6000. A more detailed breakdown of all the facilities owned by the Coast Guard is available in Table 4.

The Navigational Aids Division is considering the use of a micro-computer for maintaining lease-lettings and other related property information.

Management Process

Regional offices are responsible for the operation, maintenance, site selection, and gathering of data for marine facilities design. Background title research is carried out by PWC, which is usually responsible for land transactions being the real estate agent for departments requiring program land, under the federal land management policies set up by Treasury Board. Land requirements intended for marine facilities are dealt with by the navigational aid program.

Operational needs are determined primarily by regional offices and are then reviewed by the programming committee of Navigational Aids which analyzes and evaluates these related needs. Once the need is approved, the specific site/construction is planned according to criteria set out by the Navigational Aids Division.

Regional directors are generally autonomous and have authority to lease land parcels if they do not exceed a specified size (10 m^2) or the suggested use is non-intensive. In such cases, regional directors deal directly with regional offices of the Department of Public Works without requiring approval from Headquarters.

The Navigational Aids Division at Headquarters is currently preparing an administrative manual dealing with property management. The manual is not available yet, but the completion date should be in 1987.

TABLE 4: COST AND NUMBERS OF MARINE NAVIGATION AIDS, 1982-83

Type of Aid	Capital and Operating Expenditures*	Number
1. Fixed Aids		
- Lighthouses	$49 M	234 Manned
		38 Unmanned
- Foghorns		384
- Shore Lights		3,802
- Day Beacons	$20 M	2,498
2. Floating Aids	$80 M	
- Lighted Buoys		2,779
- Unlighted Buoys		10,803
- Stakes/Bushes		2,330
3. Electronic Aids	$19 M	
- Loran C		4
- Racons		64
- Radio Beacons		151
4. Vessel Traffic Service	$20 M	
- VTS Systems		12
- Regulatory System		2
5. Radio Stations	$37 M	
- Manned		49
- Peripheral		50
6. Other	$29 M	
- Ice Information		
- Publications		
- Canals		
- Soundings		
Total	254 M	23,200

* in millions of dollars. Estimated by the Coast Guard and based on forecast expenditures for 1982-83

Source: Office of the Auditor General. 1983. Report of the Auditor General

3.1.3 HARBOUR COMMISSIONS

Marine Facilities Administration

Harbour commissions were created by the **Harbour Commission Act**, of 1964. Harbour commissions include Oshawa, Windsor, Thunder Bay (Ontario), Fraser Port, North Fraser, Port Alberni, and Nanaimo (British Columbia). Toronto and Hamilton (Ontario) operate under their own statutes. The harbour commission system of harbour management dates from Confederation and gives the management of a port to a Board of Directors comprised of federal and municipal appointments. Harbour commissions are established where local interests in port management are demonstrated. The commissions must maintain self-sufficiency and report to the federal Minister of Transport. Membership of the commission usually consists of three federal and two municipal representatives. Other agencies involved in land administration that may be included are the Canadian Coast Guard (**Navigable Water Protection Act**), the Department of Fisheries and Ocean (**Fisheries Act**), Department of Environment (**Fisheries Act**), and the Department of Transport. A major part of the real property in several ports is dedicated to a single user or industries.

Harbour commissions are charged with administering, operating, and developing the harbour in a manner consistent with national ports objectives and in a self-sufficient manner. Commissions also administer federal leases, as well as any provincial foreshore within their boundaries under a Head Lease agreement. Through by-laws, a commission may, for example, regulate navigation and the use of the harbour by vessels, works and operations within the harbour, construction of wharves, docks, piers, and removal of material in the channels (dredging).

The surplus revenues of a Commission are subject to approval by the Minister of Transport and are maintained in a Harbour Development Fund. Under their respective Acts, Toronto and Hamilton transfer their surplus revenues to the municipalities.

Property Management

Property Inventory

Most harbour commissions record their properties on drawings and maintain them on file. Leases for most of the commissions are also kept on file, with some of them being computerized. Information recorded on the inventory includes location, type, acreage, assessed value, name of tenant, lot number, term, expiry date, rental rate, parcel size, rental rate, and review period. Table 5 lists the amount of land owned and administered by the Commissions.

TABLE 5: LAND AREA BY HARBOUR COMMISSION

HARBOUR COMMISSION		LAND OWNED (HA)	LAND LEASED (HA)	LAND LEASED ADMINISTERED BY COMMISSION
ONTARIO:	THUNDER BAY	120	30	*
	TORONTO HARBOUR	752.4	*	*
	HAMILTON	96.8	65.2	*
	OSHAWA	*	*	*
	WINDSOR HARBOUR	*	*	*
BC:	FRASER PORT	**		200
	PORT ALBERNI	None	6,408	29.6
	NANAIMO HARBOUR	*	*	*
	NORTH FRASER	**	*	*

Source: Harbour Commissions, written communication, 1985.

* data not available
** landlord ports/ownership of port rests with public authority but management is contracted to another party

Management Process

Harbour commissions may acquire land through purchase, transfer of administration, or exchange and may hold title property in their own right. Land is disposed of when it no longer benefits the people of Canada, and disposal through land exchanges is possible if it fits into commission plans. The Fraser River Harbour Commission (FRHC) is able to dispose of land, under section "C" - of its Land Policy by resolution after consultation with MOT-HQ. Property registered to the Crown requires Privy Council consent prior to disposal, while property registered in the name of the commission is dealt with directly. Some commissions, such as Port Alberni, do not own any land. Whether land is owned or administered, the lessee is responsible for paying for all capital development. Municipal taxes are therefore paid, though if the commission builds facilities of national benefit, municipal taxes are usually not paid. Commissions can also issue leases of up to 20 years, subject to ministerial approval, and terms of the lease are approved by a resolution of the commission. Leases of more than 20 years require approval of the Governor-in-Council.

Commissions also have responsibility for contracting work to fulfill operational needs; dredging, for example, is usually contracted out to the private sector.

Harbour commissions are encouraged to prepare five-year plans in order to present a strategic view of the current situation and future prospects and resolve issues, conflicts, and concerns. Plans are approved by the Marine Administration on behalf of the Minister. Once a plan is received, the Directorate and commission maintain contact in the event of future clarifications. The plan should include the business outlook of the port (i.e., whether the activities will be cargo, commodity related, or recreational in nature) and contain the following elements: a statement of issues, environmental concerns, local economic prospects, provincial policies, local planning initiatives, and international awareness of the port. Capital expenditures should be included in the plan; major capital projects are described, along with a working capital summary of federal participation.

Harbour commissions must support Canadian trade by efficiently developing, providing, and operating port facilities. Many commissions also play a vital role in local area development.

A summary overview for harbour commissions is available in Table 6.

TABLE 6: SUMMARY OVERVIEW OF HARBOUR COMMISSION

HARBOUR COMMISSION	LEGISLATION	ADMINISTRATION	MANAGEMENT	PROPERTY INVENTORY
THUNDER BAY	HARBOUR COMMISSIONS ACT 1964-65	Crown Lands Administered by Lakehead Harbour Commission.		Properties recorded on drawings-kept on file. Leases are kept locally on file. Information stored includes; location, type, acreage, assessed value, name of tenant.
TORONTO HARBOUR	TORONTO HARBOUR COMMISSIONERS' ACT, 1911		Planning and Management decisions are made to the Toronto Harbour Commissioners Board on recommendations from the general manager.	Properties recorded on drawings-kept on file. Leases details on file/ computerized.
HAMILTON	HAMILTON HARBOUR COMMISSIONERS' ACT, 1912	Land-Use policy matters are considered by the Board of Commissioners upon recommendation by the Manager of Property and Planning through the Port Director.	In matters related to shipping and navigation federal land use jurisdiction is paramount over local municipal regulations. Property acquisition is considered on merits/cost. Value is appraised by third party & in negotiation with owners.	
OSHAWA	OSHAWA HARBOUR COMMISSIONERS ACT	Area is administered by the Harbour Commission, but the Commission recognized the need to provide for future port development, while accounting for diverse interests, therefore creating the Task Force. The Task Force's objective was to provide a development plan for Oshawa's harbour area for the next 20 years.	A preliminary plan is prepared identifying the projected development of the part-direction for the use of the harbour	
FRASER PORT	HARBOUR COMMISSIONS ACT (1964)	Agencies involved with land administration include CCG (NWPA)' DFO (Fisheries Act), DOE (Fisheries Act and Environment and MOT in Ottawa.	Acquires lands from its surplus funds for future ports development. Usually, the Commission will not sale land: property exchanges are preferred given the Commission's long-range plans. For disposal, MOT must be consulted, but Commission approves. Funds received by sale are deposited in Port & Harbour Development Fund. Lessee is responsible for capital development. Taxes are paid to municipality. Where land fulfills a national objective/priority, Commission does not pay taxes.	Cardex file and regular update.
PORT ALBERNI	HARBOUR COMMISSIONS ACT (1964)	Administers federal leases, provincial foreshore within their boundaries under a Head Lease Agreement. Local authorities such as municipality and Regional District are contacted as well as fed/prov. Fisheries.	The commission does not own land and has no plans for acquisition. All titles for the lands under Commission jurisdiction rest with the Crown.	Internal cardex file: information stored includes: Lessee, lot number Permit/Licence/Lease, term, expiry date rental rate, parcel size, rental rate review period.

3.1.4 CANADA PORTS CORPORATION

Marine Facilities Administration

The Canada Ports Corporation (formerly the National Harbours Board created in 1936) is responsible for the commercial management, charge, and direction of 15 ports across Canada. Its mandate is established under Bill C-92, the **Canada Ports Corporation Act SC 83-85**, which came into force on July 26, 1982. The Act modifies three other Acts: the **National Harbours Board Act**, the **Government Harbours and Piers Act**, and the **Harbour Commission Act**. The **Canada Ports Corporation Act (S.3)** declares that the objective of the national ports policy is to create a port system that:

(a) is an effective instrument of support for the achievement of Canadian international trade objectives and of national, regional, and local economic and social objectives;
(b) is efficient;
(c) provides accessibility and equitable treatment in the movement of goods and persons to users of Canadian ports;
(d) provides local port corporations with a high degree of autonomy for the management and operation of ports at which they are established, consistent with the responsibility of the Minister to ensure the integrity and efficiency of the national ports system and the optimum deployment of resources; and
(e) is co-ordinated with other marine activities and surface and air transportation systems.

The Canada Ports Corporation is composed of a Board of Directors, with a chairman, vice-chairman, and 8 to 14 directors. Each director is appointed by the Minister of Transport with approval of the Governor-in-Council.

Responsibilities of the corporation include setting the "headline" beyond which construction from the shore may not be extended for the harbour under its jurisdiction. The corporation when previously authorized by the Governor-in-Council, may acquire, sell, dispose, and lease real property as well as construct and maintain related services as necessary.

The corporation may make by-laws relating to the use and allotment of the harbour and harbour property, and it regulates construction and maintenance of wharves, piers, buildings, and other structures within the limits of the harbours (S.14).

The local ports corporation (LPC) is responsible for all rights, obligations, and liabilities of the corporation. Once a port becomes a local port corporation, everything is transferred to the corporation. The local port corporation may, with the approval of the Governor-in-Council, establish the harbour headline.

TABLE 7: SIZE OF NATIONAL PORTS

PORT	PROPERTY AREA
St. John's	102 A/41.29 ha
Saint John	402 A/164 ha
Belledune	2,142 A/867 ha (mostly water lot)
Halifax	207 A/83 ha
Sept-Iles	1228 A/497 ha
Trois-Rivières	79 A/32 ha
Chicoutimi	To be closed and new Port acquired
Baie de Ha!Ha!	6 A/2.43 ha
Montréal	2133 A/863 ha
Québec	1536 A/621 ha
Prescott	155 A/143 ha
Port Colborne	83 A/33.6 ha
Churchill	41,552 A/16 822 ha
Vancouver	22,123 A/8 956 ha
Prince Rupert	3,962 A/1 604 ha
TOTAL	73,770 A/29 866 ha

Source: Canada Ports Corporation
Nov. 10, 1984

The local port corporation may acquire, hold, possess, sell, dispose of, or lease real and personal, movable and immovable, property. It can also maintain and operate roads, railways, vessels, and equipment and generally exercise such powers as it deems necessary for the efficient administration, management, and control of the harbour, works, and other property under its' jurisdiction.

The local corporation may make by-laws regarding navigation in the harbour, mooring, berthing, use of the harbour and its property, and leasing of harbour property, and it can regulate the construction and maintenance of piers, wharves, and buildings.

The new legislation creating the Canada Ports Corporation enabled de-centralized control on a local port corporation autonomous basis. Local port corporations created to date are Montréal, Vancouver, Prince Rupert Québec, Halifax and St-John's.

Property Management

Property Inventory

Internal records of property inventory are maintained within the Real Property Division of Canada Ports Corporation. Comparative analysis with CRPI data is undertaken at random and where significant variations occur investigations are initiated. Shortcomings which result from an inaccurate inventory data base have been identified and corrective measures are now in hand to redress such imbalances. The data will all be computerized so that not only will the actual holdings be stored, but gross/net ratios, fair market value estimates, and lease revenue target forecasts will be established. Property records will be updated every two years after the base platform is established. The two-year up-date period should be feasible since the property holdings are concentrated in fifteen locations.

The total area within the Corporation's portfolio amounts to 115 square miles, or about 29 785 ha (see Table 7). According to the CRPI inventory, 150 property parcels are under the administration of Ports Canada, for a total of 36 673 ha. From this total, 65 are parcels under water, reducing total surface area to 3 243 ha. The province with the highest proportion of land parcels is B.C., with 58 parcels of which 40 parcels are under water; Quebec follows with 61 parcels totalling 5 246 ha of land (see Table 8).

Financial Arrangements

In 1983, the Corporation's fixed assets amounted to $893 million and gross revenue from port operations amounted to $202.2 million.

TABLE 8: CANADA PORTS CORPORATION CRPI INVENTORY

PROVINCE	TYPES OF FACILITIES	NO. OF PROPERTIES	AREA ADMINISTERED (HA)	LAND LEASED	AREA OWNED (HA)	NO. OF PROPERTIES WITH % LAND UNDER WATER	LAND AREA (HA)
Newfoundland	berths, wharves	8	125.2		125.2	1	22.3
Nova Scotia	basin, port, lay-up berth	3	5 493.3		5 493.3	3	79.8
New Brunswick	harbours, cargo docks, terminals, wharves, docks	17	1 832.9		1 832.9	1	985.7
Québec	port, basin, wharf cargo docks, terminals	61	5 246.4		5 246.4	18	242.2
Ontario	harbour, grain elevator	2	177.7		177.7	1	62.6
Manitoba	terminal grain elevator	1	16 816.4		16 816.4	1	504.6
B.C.	railway embankment harbour, shoreline installation, port and access road	58	6 981.1		6 981.1	40	1 345.8
	Totals	150	36 373		36 673	65	3 243.3

The Corporation's holdings are leased to port operators and users with the general return being fair market value plus 11% as annual payment. Revenues are based on straight rental payment or a combination of rent plus profit participation referred to as "throughput charges".

Grants in lieu of taxes on lands held and operated directly by ports across Canada amount to $10 million annually. Ports' lessees also pay their own property taxes directly; these payments amount to about $10 million annually.

Management Process

The Corporation has a Part II, Schedule "C", classification, as provided under Bill C-24, an Act to amend the **Financial Administration Act** in relation to Crown corporations, enabling it to be autonomous and independant.

The Ports Corporation is a trustee of the real property portfolio as an agent of Her Majesty, and accordingly conducts its real property affairs in conformity with Treasury Board Federal Land Management Policy guidelines. Internal policy governs such areas as revenue return rates, leasing periods, rental review periods, and the terms and conditions of lease agreements.

The operation and use of real property are managed by local port corporations, guided by real property policies issued from headquarters. Depending on the levels of delegated authority, lease agreements may be entered into for up to ten years. Periods between ten and 20 years are subject to the approval of headquarters, and those over 20 years are subject to the approval of Treasury Board and Governor-in-Council.

The operational needs of a port are determined locally where all measures are subject to the approval of a local Port Corporation Board of Directors. All plans, new initiatives, long-range planning, cost, and revenue projections must be presented in a port corporate plan, which is subject to the approval of the Canada Ports Corporation Board and Treasury Board. Activities contained within the plan and which have been approved are those which will be implemented. Deviations from the approved plans due to changing market conditions are always subject to board approval.

The acquisition, exchange, or disposal of real property is not delegated, but is subject to the scrutiny of Headquarters, the Corporation's Board, Treasury Board, and Governor-in-Council. As a matter of policy, the disposal of real property is generally avoided unless it is in exchange for other real property of equal or similar value.

Across the system there are 2,000 leases in effect for varying periods of time and serving various needs. Some leases provide annual revenues in the thousands, others in the hundreds of thousands, and some in the millions. The Corporation almost exclusively leases out and is

rarely a lessee. The criteria for leasing out are that the undertaking must be within the spirit and intent of the corporate mandate, commercially viable, and in the interests of the Crown.

3.1.5 ST. LAWRENCE SEAWAY AUTHORITY

Marine Facilities Administration

The St. Lawrence Seaway Authority (SLSA), is a Schedule "C" (Part 1) Crown Corporation which operates the Canadian Section of the St. Lawrence Seaway and the Canadian span of the Thousand Islands Bridges. Two wholly owned subsidiary corporations are as follows:

a) The Seaway International Bridge Corporation, Ltd., which operates and maintains the Seaway International Bridge between Cornwall, Ontario and Roosevelt town, New York on behalf of the SLSA and its United States counterpart, the St. Lawrence Seaway Development Corporation; and

b) The Jacques Cartier and Champlain Bridges Incorporated which operates and maintains the Jacques Cartier and Champlain Bridges including a portion of the Bonaventure Autoroute in Montréal, Québec.

The St. Lawrence Seaway Authority was incorporated to construct, operate, and maintain a deep waterway between the port of Montréal and Lake Erié:

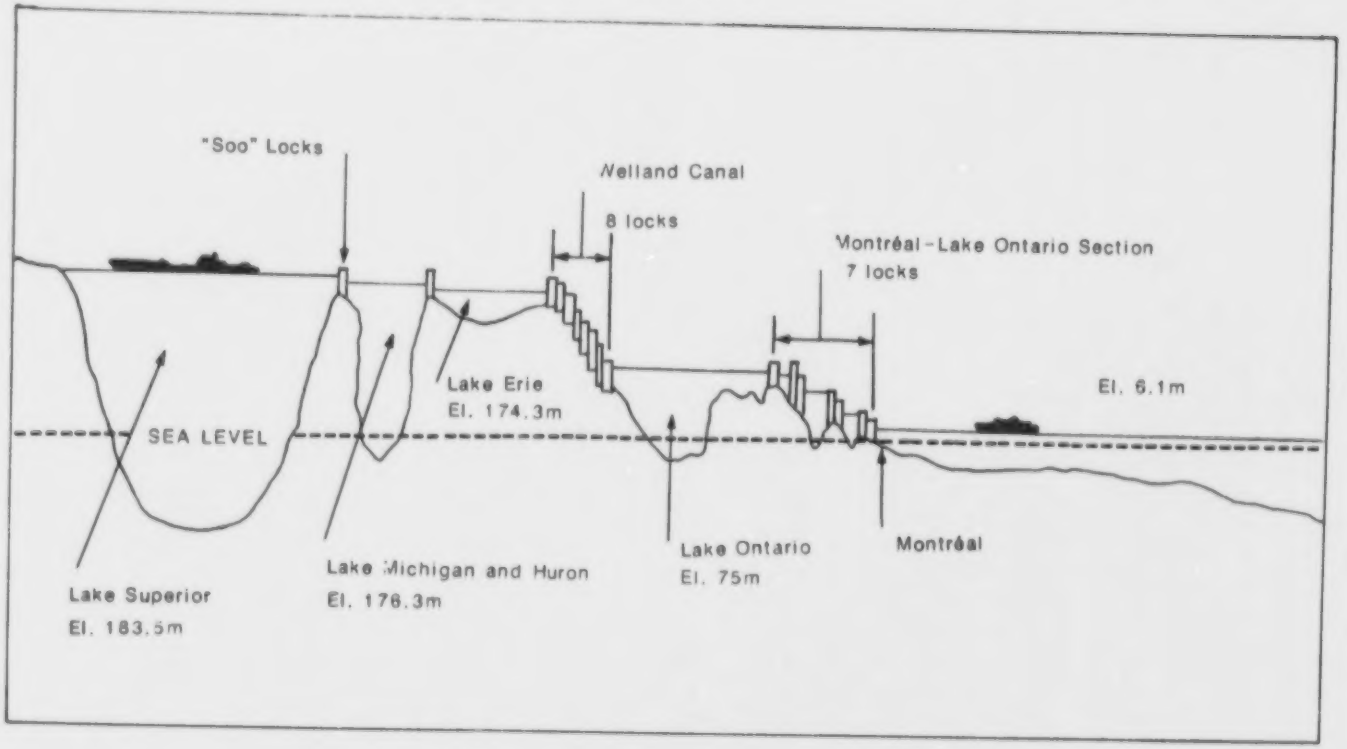
- to ensure safe and efficient movement of marine traffic and protection of the environment;
- to recover the associated cost so as to operate on a self-sufficiency basis; and
- to assess the need for improvements of the Seaway System and plan their implementation as required.

The Seaway provides access to inland ports by national and international shippers which would otherwise have access to ports only downstream from Montréal. The result is increased efficiency of commodity transport primarily of grain, iron ore, coal and petroleum products and manufactured goods, and enhanced opportunity for Canadian export trade. Pleasure craft over 20' are also accommodated.

Principal beneficiaries include national and international shippers and the communities, producers, and industries whose products are transported.

Construction of the Montreal-Lake Ontario section of the Seaway which opened in 1959, allows navigation by vessels with a 7.9 m draft for an 8-month period, from April to mid-December (see Figure 4). The Welland Canal was the first segment of the Seaway to be built and forms an integral part of the Seaway. The canal first opened in 1829 and was subjected throughout the years to further structural changes to facilitate greater commercial transit of goods. In 1954, dredging of the canal brought its depth to seaway standards. The St. Lawrence Seaway from Montreal to Lake Ontario opened in 1959. Canals that were part of Transport Canada's

FIGURE 4: PROFILE VIEW OF THE ST. LAWRENCE SEAWAY SYSTEM



responsibility and were transferred to the Seaway Authority in 1959, for operation and maintenance and included the Lachine Canal, a portion of the Cornwall Canal, the Welland Canal, and the Canadian lock at Sault Ste-Marie. The administration and management of the Lachine Canal and the Sault Ste-Marie Lock were later transferred to Parks Canada.

The **St. Lawrence Seaway Authority Act** also empowers the Authority to establish tariffs or tolls charged for vessels using any facilities under its administration (canals, wharves, buildings, etc.), passengers and goods on the vessel, pedestrians, and vehicles using bridges under its administration. The Authority may make regulations for the administration, management, and control of the works and property under its jurisdiction, as well as for vessels navigating through a canal and plants or machinery used for loading/unloading vessels.

Regulations provide for the seizure of vessels when tolls have not been paid regulations dealing with other provisions of the **St. Lawrence Seaway Authority Act** also exist:

Real property includes canals, locks, adjacent land and buildings in Ontario and Québec and road and railway bridges spanning canals in the Montréal and Welland Canada areas. Some land for future development is held in the Montréal, Cornwall and Welland canals areas.

Cost of construction was approximately $750 million. Estimates of current replacement value range from $5 to $10 billion. All design and construction of major works is contracted out to the private sector. Capital dredging is carried out by private sector operators, under contact.

The majority of routine operations and maintenance is carried out by in-house staff. However, most cyclical overhaul and restoration work, and rehabilitation and modification work is carried out under contract.

Real property consists primarily of canals, locks and marine channels, bridges, tunnels and service roads directly associated with the Seaway, unserviced land abutting the Seaway, and a small number of office buildings maintenance and stores buildings.

In operating the canals and locks under its jurisdiction, the SLSA endeavours to protect the environment through enforcement of vessel regulations, emergency planning, and the development preventive measures when planning of new facilities or projects. Regulations to ensure that ships do not pollute the waters are strictly enforced. For example, ships must not discharge sewage and garbage overboard or any other form of pollutants or untreated sewage, and the emission of excessive smoke. There are also regulations dealing with gas freeing and cleaning of cargo tanks for hazardous vessels.

Certain areas, specifically in the Welland, are designated as no discharge zones for any kind of substance.

TABLE 9: ST. LAWRENCE SEAWAY AUTHORITY CRPI INVENTORY

PROVINCE	TYPES OF FACILITIES	NO. OF PROPERTIES	AREA ADMINISTERED (HA)	TENURE	AREA OWNED (HA)	NO. OF PROPERTIES WITH % LAND UNDER WATER	LAND AREA OWNED (HA)
Ont.	canal, lock	30	5 395		5 395	13	3 678
Qué.	access site, canal	25	5 362		5 362	13	2 019
	Total	55	10 757		10 757	26	5 697

In case of accident, spill, or other emergency, the SLSA is the lead agency for pollution clean-up in the lock and canal areas, while the USA, Canadian Coast Guard, and environmental agencies are responsible for clean-up of river and lake sections. For any new projects, environmental assessments are filed with Environment Canada for their advice and approval prior to implementation.

The SLSA is organized into two regions: Eastern Region from Montréal to Lake Ontario; Western Region - the Welland canal. The Eastern Region comprises five Canadian locks and associated infrastructure and land. The Western Region comprises to eight locks and associated infrastructure and land. Property management is controlled from its Cornwall HQ through two separate regional managers in St. Lambert, Québec and St. Catherines, Ontario. A small corporate head office is located in Ottawa.

The **St. Lawrence Seaway Authority Act**, R.S.C. 1970 S-1, enables the Authority to plan and manage its real properties and empowers it to lease properties. Pursuant to s.12 of the Act, an Order-in-council was promulgated in 1966, with further modifications in 1972, giving full authority to the SLSA from the Governor-in-Council to lease property subject to certain restrictions. These restrictions include: the capital value of a property must not exceed $250,000; lease rentals must be at market value; and cancellation clauses must be provided in leases for any public purpose. Treasury Board policy on Federal Land Management as well as SLSA policies and guidelines developed and refined over 25 years, are the tools with which the Authority manages its properties. Extensive land acquisition for future works occurred during the 1960's.

Property Management

Property Inventory

The CRPI records shows that there are currently 55 SLSA marine installations occupying a total of 10 757 hectares, 5 697 hectares of which are land, the balance being water lots. Table 9 lists the Authority's marine-related installations and lands.

The SLSA possesses a more detailed inventory which is maintained through a cardex file and plan system and consists of leases, licenses, letters patent, deeds, etc. The properties administered by the Authority include the Jacques Cartier and Champlain Bridges, Bonaventure Autoroute, South Shore Canal, Beauharnois Canal, Cornwall Canal (non-operative), Seaway International Bridge, Iroquois Lock, Thousand Islands Bridge (Canadian portion), and Welland Canal. These properties include relevant reserve lands.

Financial Arrangements

The SLSA retains revenues generated by the sale of surplus lands under its administration.

Fixed assets for the SLSA according to the Authority's 1983 Annual Report were evaluated at $550 million, and include land, channels, canals, locks, and bridges.

Management Process

Land can be acquired by purchase from the private sector or by transfer other governments departments. Land acquisition by purchase may be approved following submission of a formal request to the Authority by the Regional Vice-presidents. Land acquisition or disposal by transfer requires an Order-in- Council.

Lands being held in reserve for the Authority's future use may be leased out. The Authority administers approximately 700 leases. When leases represent a value of more than $25,000, the approval of the Authority is required; leases are otherwise administered directly by the regional offices.

3.2 DEPARTMENT OF FISHERIES AND OCEAN - SMALL CRAFT HARBOURS

Marine Facilities Administration

The Small Craft Harbours Branch (SCH) is a component of the Department of Fisheries and Oceans. The transfer of authority for Small Craft Harbours from the Department of Environment occurred through Order-in-Council P.C. 1973 - 1551, when it became apparent that some harbour areas were being used for fishing and recreational activities.

The Small Craft Harbours program aims to develop "effective and efficient harbour systems directed at ensuring maximum economic and social benefits to Canada from the use of the commercial fishery and to provide assistance in the provision of harbour facilities to the recreational boating sector".[15] These objectives are achieved through development and maintenance of harbours and harbour management.

Small Craft Harbours is a separate Branch reporting directly to the senior Assistant Deputy Minister. The Small Craft Harbours program is coordinated through the Branch to six regions: Pacific, Central Arctic, Québec, Gulf, Scotia Fundy, and Newfoundland. The Branch functions in accordance with the **Fishing and Recreational Harbours Act**, S.C. 1977-78 c. 30, which outlines the mandate of the Branch in regards to harbour administration.

The **Fishing and Recreational Harbours Act** identifies the authority held by various elements of the administrative structure. First, the Minister is responsible for the use, development, and management of every (scheduled) fishing and recreational harbour by providing adequate protection berthage, water depth, launching facilities, and other harbour infrastructure services to satisfy user needs. The Minister may also lease any scheduled harbour, grant a licence to any person, and, for the purpose of enforcing the Act and regulations, designate enforcement officers.

The Small Craft Harbours program assist in the maintenance and operation of recreational harbour facilities particularily in Ontario which has 392 recreational harbours. Approximately 10% of the SCH program dollars are directed toward the recreational area.

The Small Craft Harbour Branch has on-going agreements with several departments for the occupation, use, and maintenance of specific wharves because of its responsibilities in wharf operation. Maintenance of existing harbours and marine facilities requires dredging, which is performed by DPW. For shared facilities, dredging costs are usually shared. No specific issues were identified, although there appeared to be concerns about which department was responsible

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15 Department of Fisheries and Oceans, Annual Report 1982-83, p. 51.

for the administration of fishing/recreational harbours as opposed to transport-related facilities.

Other problems regarding jurisdictional control of water lots and boundaries of harbours are presently being negotiated with the Atlantic provinces.

Property Management

Property Inventory

SCH is responsible for approximately 2,255 fishing and recreational harbour facilities. Of the 2255,145 are fishing harbours and 340 are recreational. Property documents (lease, license, agreement) for SCH are in a computerized format called the Management Information System (MIS), which compiles information such as document number, lot number, size area, and so forth. Title documents are maintained on microfiche.

Financial Arrangements

The Small Craft Harbour program issues approximately 500 new licenses, leases and occupancy documents each year, and there are approximately 4,000 leases, licences, and agreements administered by SCH.[16]

SCH derives revenues from two main sources: berthage fees and monies collected through leases/licenses, the latter accounting for about 44% of total SCH revenues.

SCH pays grants in lieu of taxes to municipalities through the Municipal Grant Program. If the property is leased, the lessees of the property usually pay the taxes on the land occupied.

Management Process

Individuals, companies, or municipalities wishing to obtain new harbour and wharf facilities or an expanded service apply to the Small Craft Harbour Program. Acceptance of a submission is based upon SCH program objectives and goals.

The basis upon which the SCH Branch has identified development alternatives for its properties and potential locations for new harbour facilities is through a multi-year plan. Management authority for the site, financial considerations, and classification of the harbour are noted in the plan. When location has been determined, DPW reviews the plan in terms of the requirements of TBAC/FLM procedures before it can be sent to TB for final review and acceptance. Small craft

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16 Personal Communication. Hosler, 1985

harbour management falls under the Fishing and Recreational Harbour Administrative Instructions. Chapters on real property (general use, disposal, and acquisition) within the TB Administration Policy Manual have guided the preparation of these instructions.

The Small Craft Harbour Branch negotiated with the Province of Ontario to transfer water lots; a provincial Cabinet decision subsequently directed that water lots in the province be transferred at low cost over to SCH. The transfer from Ontario to SCH includes a reversionary clause that requires SCH to turn over the property should it be declared surplus, instead of being returned to the DPW property pool, the procedure normally required under the Federal Land Management principle.

3.3 DEPARTMENT OF THE ENVIRONMENT - PARKS CANADA

Marine Facilities Administration

For this section of the report, the term "marine facilities" as applied to Parks Canada programs includes facilities--wharves, boat-launching areas, canals, locks, and marinas--in fresh or salt water, which cater to the recreational boating public and visitors to National Parks or Heritage canals. These facilities represent some of the many developments operated and maintained by Parks Canada as part of its mandated program.

The Parks Canada program is managed by an assistant deputy minister (ADM) who is responsible for coordinating, analyzing, and assessing projects and for preparing management policy and directives affecting program development, property management, and technical and architectural matters. A Chief of Operations at Headquarters is responsible for on-going operations. The central administration is responsible for formulating general policies, coordinating programs, and federal-provincial liaison. Five regional directors and activity directors at Headquarters report to the ADM. Regions are charged with directing park services, historic sites and heritage canals, operations and research, and planning operations. Field offices are located at Cornwall (Ontario), Halifax (Nova Scotia), Québec (Québec), Winnipeg (Manitoba), and Calgary (Alberta).

The two programs from Parks Canada providing marine facilities, National Historic Parks and Sites and National Parks, are discussed below.

National Historic Parks and Sites

The Heritage Canals which are part of this program were transferred from the Department of Transport to Parks Canada in 1972, in recognition of their greater recreational role and their significance as examples of early engineering technology in Canada. Heritage Canals are managed by the National Historic Parks and Sites Branch.

One objective of the program that deals with the provision and maintenance of canal facilities is to "stabilize, restore, reconstruct and maintain the canals and associated historic structures and, as well, provide and maintain contemporary visitor facilities".[17] Other canal-related responsibilities involving Parks Canada are "maintaining navigational aids along the canals, buoys, channel clearing and maintaining water levels in the watershed area through the operation of dams and weirs".[18] Policies, regulations,[19] directives and management

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17 Department of the Environment, 1985-86 Estimates.

18 Ibid., p. 4-33.

19 Heritage Canal Regulations, 1984, under the Transportation Act.

TABLE 10: THE HERITAGE CANAL SYSTEM

CANAL	RIVER	PROVINCE	LENGTH (KM)	LOCKS	BRIDGES
Rideau	Rideau	Ontario	198.8	49	41
Trent-Severn	Trent-Severn	Ontario	387.1	45	60
Sault Ste. Marie	Great Lakes	Ontario	1.9	1	2
Ste. Anne	Ottawa	Québec	0.6	1	0
Carillon	Ottawa	Québec	0.8	1	0
St. Ours	Richelieu	Québec	0.2	1	0
Chambly	Richelieu	Québec	19.0	9	12
Lachine	St. Lawrence	Québec	13.7	0	0
St. Peters	Bras d'Or Lake	Nova Scotia	0.8	1	1

Source: Environment Canada. 1984-85 Estimates. Part III. Expenditure plan. p. 4-34

TABLE 11: DEPARTMENT OF ENVIRONMENT CRPI PROPERTY INVENTORY

PROVINCE	TYPES OF FACILITIES	NO. OF PROPERTIES	AREA ADMINISTERED (HA)	TENURE	TOTAL AREA OWNED (HA)	TOTAL NO. OF PROPERTIES WITH % LAND UNDER WATER	LAND AREA (HA)
Nova Scotia	Water lot, canal	(3)	14.36		14.36		14.36
New Brunswick	Stream gauging site	(1)	.76		.76		.76
Québec	Canal, stream gauging site	23 (11)	384.57		384.57	5	174.6
Ontario	Canal lots, gauging station	332 (308)	21 161.49		21 161.49	110	2 749.5
Manitoba	Weather station	1	1.1		1.1		1.1
Saskatchewan	Landing site, meteorological station	6	543.8		543.8		543.8
B.C.	Gauging station, weather station	22	32.88	5 leased	1.08		1.08
Yukon	Water survey	1	1.28		1.28		1.28
NWT		3	89.74		89.74		89.74
	Totals for Parks	(323)	(21 561.18)	-	(21 561.1)	115	(2 939.22)
	Total	392	22 229	5 leased	22 198	115	3 576.22

( ) = Totals for Parks Canada

plans that guide the operations of canals have also been developed. This program provides on-site direction and control of the day-to-day operation of the nine heritage canals (see Table 10).

National Parks Program

National Parks permit the preservation of natural areas which are representative of the major natural regions. National Parks are protected by federal legislation and are financed by and dedicated to all Canadians. Parks Canada objectives for National Parks are to "protect for all time representative areas of Canadian significance in a system of national parks and to encourage understanding, appreciation and enjoyment of this natural heritage so as to leave it unimpaired for future generations."[20]

To meet its objectives, Parks Canada developed a methodology to identify natural areas for selection as National Parks, as well as a planning process for their establishment. Programs for public understanding and enjoyment of National Parks have been developed and include providing a variety of outdoor recreation opportunities. Access to waterways and boat travel are encouraged where the resources within the national park permit them. Development plans for each park identify the types of facilities required (launching ramps, stay-over docking, slipways) and the public being served (private boating or public boating).

Co-operative Heritage Areas represent a variety of distinctive natural and cultural resources concentrated in an area and which, taken together, are of Canadian significance. These areas can include land and water routes. Co-operative Heritage Areas are owned, operated, and maintained collectively by several agencies. To date, two Co-operative Heritage Areas have been formally designated: the first, established under the Canada-Ontario Rideau Trent-Severn (CORTS) Agreement, involves a corridor along the Rideau Canal and the Trent-Severn Waterway; the second involves the Red River Corridor, located north of Winnipeg. These areas are administered through the National Parks program.

Property Management

Property Inventory

Parks Canada currently manages 224 bridges and locks[21] 300 buildings, 2,000 navigational aids, and 167 dams, which control a watershed of 2.3 million hectares. Based on the CRPI[22],

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20 Parks Canada Policy, p. 38.

21 Department of the Environment, 1985-86 Estimates, p. 4-33.

22 Land use code 800, 700 for the Department of Environment using branch code for Parks Canada.

the total number of marine-related properties for Parks is 323 and represents 21 561 hectares (see Table 11). The Parks Canada Realty Service Branch maintains and updates the documents and records for all Parks Canada properties.

Management Process

Over 1.25 million water-based visitors made use of the canal systems during 1982-83. During the 1982 navigation season, 41,580 bridge operations and 178,571 lock operations on the canals permitted passage of boats.[23]

In adequately responding to the public use of the canal systems, the development of each heritage canal and its associated lands is carefully managed by plans prepared by regional staff. Such plans provide for present and future uses and ensure the protection of the character of each heritage canal in accordance with Parks Canada Policy. Planning of these federal lands is co-ordinated with the planning of adjacent lands by other responsible agencies or individuals to ensure the integration of the canals with their environment.

Canada-Ontario Trent-Severn System (CORTS) Agreement

A Memorandum of Agreement (MOA) signed in September 1975 between DOE and DFO involving the Rideau-Trent Severn System serves to illustrate the sharing of land management responsibilities by two federal departments. This MOA enables Parks Canada to reserve water lots and upland property for the benefit of small craft harbours, and to construct, maintain, and operate small craft harbour facilities by agreement with the CORTS Board if and when they are required. Maps showing the location of special zones, for instance, canal locks, narrow channels, artificial cuts, bridges, and areas where special facilities or arrangements are provided to protect historical or environmental features, are also prepared. Other documents, such as the Rideau Concept Plan (1977), the Report to the CORTS Agreement Board from the Federal-Provincial Working Group on Environmental Quality (1977), the 1978 CORTS Interim Land Use Guidelines, Parks Canada Policy (1979), and the CORTS Policy Statement (1980), recognize the value and importance of wetlands and govern the overall management of the natural resources within the area.

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23 Department of the Environment, 1984-85 Estimates, p. 4-29.

3.4 DEPARTMENT OF PUBLIC WORKS - MARINE WORKS PROGRAMME

Marine Facilities Administration

The marine-related responsibilities of Public Works, as outlined in the **Public Work Acts**, are very specific: the Department, through the Minister, is responsible for the management of "dams, hydraulic works, the construction and repair of harbours, piers and works for improving the navigation of any water, and the vessels, dredges, scows, tools, implements and machinery for the improvement of navigation."

In the early 1970s, responsibility for programming and funding of major elements of the marine program was transferred from the Minister of Public Works to ministers of other government departments, under the **Public Service Re-Arrangement and Transfer of Duties Act.** Program responsibility for fishing harbours, tourist wharves, and marinas was transferred to EC (now DFO) in 1973. Responsibility for marine transportation, public wharves and harbours, and major ports was transferred to the Minister of Transport in 1982 under s. 5 of the **Harbours and Piers Act.**[24]

The Minister of Public Works, as stated in the **Public Works Act**, retains program responsibility for dry docks, bridges, locks, and dams under departmental jurisdiction, as well as for the departmentally-owned and operated dredging fleet which provides services to Transport Canada, Fisheries and Oceans Canada, Environment Canada, and agencies such as harbour commissions. Public Works Canada (PWC) is also responsible for the improvement of harbours and navigable channels.

Public Works has seven programs, but only the marine program deals specifically with marine facilities. The program provides and maintains the marine facilities required by federal programs for industrial development and water level control.[25] The marine program is divided into two areas of responsibility: Industry Support and Water Level Control.

Industry Support:

Industry Support includes operation, maintenance, and construction of dry docks, dredges, and support facilities and vessels.

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24 By virtue of the **Government Harbours and Piers Act**, RSC 1970 c. G-9 (s.5), and **Public Works Act**, RSC 1970 c. P-38. SI Canada Gazette, Part II, Vol. 116, s. 9(1).

25 Dept. of Public Works, Annual Report: 1983-84, p. 1.

Dry Docks:

Under the **Public Works Act**, the Minister must maintain operations of Crown-owned docks at Lauzon (Québec), Selkirk (Man.), and Esquimalt (B.C.). PWC acts as the owner/operator of the facilities and rents them along with related services to ship repair contractors in accordance with a schedule of tariffs authorized by Order-in-Council.

Dredging Operations:

The objective of PWC's Dredging and Fleet Services activities is to provide federal departments and agencies with acceptable marine dredging services. The Auditor General's Report of 1984 indicates that PWC carries approximately 70% of Canada's estimated average annual dredging volume.

Dredging and dredging policy have been the subject of a number of internal reviews during the past two years. The department is currently participating in an interdepartmental review of dredging policy assessing how the total federal dredging requirement is divided between contracting out and the PWC fleet.

Water Level Control:

Water Level Control activities maintain and operate locks and dams across the country and develop engineering criteria in the field of water level control.[26] The Marine Directorate also acts as the PWC representative in national or international organizations which include the Permanent International Association of Navigation Congresses and the International Joint Commission.[27]

The Atlantic, Québec, National Capital, Ontario, Western, and Pacific regional offices carry out the mandate of the Marine Directorate in their respective regions. The Real Estate Services Directorate provides realty services to other federal departments with marine program responsibilities; the Directorate conducts land-use studies, socio-economic and financial analyses, and market studies, develops land-use options, analyses alternatives, selects sites, and implements approved real property decisions. PWC Headquarters develops policies, standards, and guidelines for real estate processes and transactions.

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26 Auditor General, Report of the Auditor General. 1984; pp. 13-38.

27 Dept. of Public Works. Annual Report 1983-84. p. 11.

Property Management

Property Inventory

PWC is responsible for a reported 1 173 parcels of land required for docks, piers, marinas, slipways, breakwaters, wharves, launching ramps, or access roads to ramps. The total area represented by this land is 17 991 ha, though 517 properties have a percentage of their area under water (see Table 12).

Only 29 of all the holdings are leased. Approximately 182 are holdings transferred from other departments and 142 parcels are reserved from the province.

A marine facilities inventory for each province was carried out in 1970 under the auspices of an Interdepartmental Task Force on marine facilities. The inventory included marine facilities by administrative area, whether federal or private, and variables used in the identification included a description, costs, expected life, present use, and so forth. This inventory is now dated.

Financial Arrangements

For 1983-84, the most recent data available, the Marine Program of PWC had expenditures amounting to $19.5 million, or 1% of the Department's total expenditures.

Management Process

PWC must inspect wharves and other marine facilities twice a year.

PWC, through its Real Estate Services Group, acquires new properties on behalf of departments in accordance with established government policies and procedures. These acquisitions include the land requirements for marine facilities for such agencies as the St. Lawrence Seaway Authority and the Canadian Coast Guard.

The foregoing describes PWC's marine-related roles and responsibilities as of fiscal year 1984-85. PWC has advised that program functions and responsibilities that have not already been transferred to other government departments will be subject to change as the department consolidates its new mandate of becoming common service agency of the federal government, operating on the basis of full revenue dependency.

TABLE 12: DEPARTMENT OF PUBLIC WORKS CRPI PROPERTY INVENTORY

PROVINCE	TYPE OF FACILITIES	NO. OF PROPERTIES	AREA ADMINISTERED (HA)	TENURE	AREA OWNED (HA)	NO. OF PROPERTIES WITH % LAND UNDER WATER	LAND OWNED (HA)
Nfld.	breakwater, slipway, site wharf	114	66.6	parcels that are transfers with restrictions involve waterlots (15).	66.6	15	16.5
P.E.I.	wharf site & approach, breakwater approach, and landing facilities	37	259.8		259.8	21	187.5
N.S.	skidway site, wharf approach	95	73.1	5 leased	70.7	26	46.7
N.B.	wharf access site, right-of-way, break-water access, bridge	77	199.1	1 leased. Some 20 parcels involve transfers with restrictions.	196.6	19	178.6
Qué.	access to wharf, slipway landing site, breakwater	311	2 214.6	9 leased - of this leased 99% land is used in connection with servitudes for a reservoir. 87 parcels are transfers (with/without restrictions).	1 494.8	139	205.5
Ont.	wharf site & approach, bridge, hydraulic lots, flood control culvert, channel	138	3 840.6	5 leased. 54 represent transfers (without/with restrictions).	3 837.5	88	966.1
Man.	wharf site & approach, seaplane landing	27	7 095.7	1 leased. 8 reservations from province	7 095.4	13	7 031.3
Sask.	wharf site, breakwater site, water lot.	15	6.0	6 reservations from province	6.0	8	2.3
Alta.	wharf site, breakwater, boat harbour	6	12.3	3 reservations from province	12.3	3	2.4
B.C.	launching ramp, ramp and float, wharf site, water lot, Alaska Highway	332	2 386.3	26 leased. 125 reservations from province. 6 transfers without reservations	474.3	171	32.8
Yukon	seaplane landing base	4	2.01		2.01	1	.8
N.W.T.	wharf site & approach, navigational aid, barge, floating wharf	17	1 835.0	2 leased	1 833.6	13	181
	TOTALS FOR DEPARTMENT	1 173	17 991.1	29 leased	15 349.6	517	10 481.5

3.5 DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

Marine Facilities Administration

The Minister of Indian Affairs and Northern Development (DIAND) is responsible for the administration and control of all public lands and waters north of 60 degrees latitude, except for those lands held by the Commissioners of the Yukon and Northwest Territories, other federal departments and agencies, or private interests.

The Renewable Resources and Northern Environment Branch of the Northern Affairs Program of DIAND, with its mandate for the conservation and management of lands and waters is involved in the development and administration of marine facilities.

Legislation administered by DIAND that affects marine facility development includes: the **Territorial Lands Act** and Regulations, the **Public Lands Grants Act** and Regulations for leasing and licensing, as well as the Territorial Quarrying Regulations and **Northern Inland Waters Act.**

Marine facilities require docking, mooring basins, piers, on-shore support facilities, and possibly breakwaters and dredged channels. Each of these elements must be regulated and have varying degrees of protection for both the users, owners, and general public. Under the above-mentioned legislation, leasing and licensing options are available to owners and all activities are regulated to ensure minimal environmental impact. In support of DIAND's responsibility to oversee such developments, various assessment and review committees evaluate operations. For example, the federal and territorial governments jointly participate on the Federal-Territorial Lands Advisory Committee (TLAC), while all land-use permits are reviewed by the Land Use Advisory Committee (LUAC), a Northern Affairs regional committee.

Policies and procedures developed by DIAND enable administrators to guide resource development in a manner in keeping with the enabling legislation. In the case of marine facility administration, the Renewable Resources and Northern Environment (RR&NE) Branch has produced the Beaufort Seabed Harbour Lands Administration Policy. Guidelines include policies for leasing and licensing of the harbour seabed lands, cost-effective development with shared facilities, user agreements, consideration to be given to native claims, conservation, environmental impact, and economic matters.

A careful balance of facility requirements measured against environmental impacts is often the most difficult task in administering marine issues. DIAND is not the only federal or territorial agency concerned with the issue both through mandate and interest. Other prime players are Fisheries and Oceans, Transport, Energy, Mines and Resources, Environment, and the Territorial Governments, Native Groups, and northern groups and individuals. This fact,

TABLE 13: DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT CRPI INVENTORY

PROVINCE	TYPES OF FACILITIES	TOTAL NO. OF PROPERTIES	AREA ADMINISTERED (HA)	TENURE	AREA OWNED (HA)	NO. OF PROPERTIES WITH % LAND UNDER WATER	LAND AREA OWNED (HA)
Ontario	Boat house	2	0.73		0.73	1	0.09
Alberta		1	1.4		1.4		1.4
B.C.	marina, wharf site	5	15.58	4 leased	0.40		.40
Yukon	Boat launch	1	0.28		0.28		0.28
NWT	Float base	1					
Totals		10	18	4 leased	3	1	2

together with a limited physical resource base appropriate to harbours and ports, make administration of marine facilities a complex matter.

Property Management

Property Inventory

Records of land transactions are kept in the Yellowknife and Whitehorse regions. Recent computerization utilizing a mini/mainframe combination (IV Phase/IST) is called the Northern Land Transaction System (NLTS). According to CRPI listings, the total land area represents 18 hectares (see Table 13).

Management Process

DIAND is responsible for the administration and control of the majority of public land and waters in the territories that have not been transferred to the Commissioners of the Yukon or Northwest Territories, to native groups, or other agencies and private individuals. Since it is responsible for on-shore, foreshore, and seabed areas required for harbour use, DIAND has, through Directive 2-14 specified land administration policies and procedures with respect to the leasing or licensing of seabed lands associated with the development and operation of harbours on the Beaufort Sea coast.

The principles articulated in the Beauford Seabed Harbour Lands Administration policy are:

(a) given the limited availability of suitable harbour lands, harbour lands will be planned and managed, recognizing the natural capacity of the harbour, to accommodate present and future users including but not limited to petroleum operators; supply, service, transportation and construction companies; and government agencies;
(b) departmental seabed land administration policies will emphasize the need for an efficient, cost-effective use of harbour resources;
(c) private company agreements and co-operative arrangements for sharing of harbour facilities will be encouraged;
(d) seabed lands will be disposed of in a fair and equitable manner, recognizing private investment and good long term land use planning principles.

There are specific elements in the policy that identify what can or cannot be leased. For example, seabed lands required for mooring basins, berths, man-made islands, or aids to navigation can be leased. Common-use lands that cannot be leased include land for common access and shipping channels, although a licence of occupation may be issued to a private company for the period that the activity requires such lands.

Procedures relating to the improvement of seabed harbour lands involve approval of an application for a surface lease or licence of occupation by the Northern Affairs Program Regional Director General (RDG). The policy also indicates that the Program will:

(a) review the application for conformance with NAP site land use plans and policies;
(b) conduct an environmental assessment of the proposed land use according to the Cabinet directive on EARP;
(c) consult with any lease or licence holders of lands likely to be affected within the harbour area;
(d) consult with any affected communities; and
(e) conduct a socio-economic review of the proposed activity.

The RDG acts on behalf of the Minister in granting the lease or licence and the subsequent requirements attached to the lease or licence. The RDG may require the applicant to provide proof of the agreement with the operators of the harbour on such items as management and control of the port and the sharing of costs. The RDG is also authorized to include any conditions or terms with respect to land use and environmental impact prevention in all leases and licences.

3.6 CN MARINE

Marine Facilities Administration

CN Marine, a subsidiary of Canadian National, operates the East Coast Ferry Services. A 1979 tripartite agreement resolved problems relating to the ownership of assets and ferry terminal operations for the Department of Transport, CN Marine, and Canadian National Railways (CNR).

Administration of CN Marine real estate concerns has usually been performed by CNR Real Estate (Atlantic Region), on a cross-charge basis. The Administrative Services and Law functions of both the CNR and CN Marine interact, with CN Real Estate completing the details and maintaining the records. With CN Marine becoming a separate Crown Corporation, the management and administration will be performed by CN Marine Planning & Administration, beginning in 1985.

CN Marine will thus need to develop its own policies, procedures, and guidelines in regards to the management of facilities and lands to ensure that ferry services operate to the fullest extent at the least cost.

Property Management

Property Inventory

CN Marine is currently assembling a property record inventory, under the auspices of a real estate project. When completed, this project will provide a portfolio of all its real estate areas of involvement, supported by as much documentation, leases, deeds, plot plans, sketches, and so forth that can be acquired for each site.

All CN Marine contracts, some 200 in total, are maintained on a cardex file, which includes real estate leases and can be expanded to incorporate property inventory records. There are plans to place the contract administration system on a microcomputer, and when this is done, property records will be included.

CN Marine has operations in the following locations, and property interests in each:

NEWFOUNDLAND & LABRADOR
- St. John's
- Port aux Basques
- St. Anthony's
- Argentia
- Goose Bay
- Lewisporte
- Terrenceville

NOVA SCOTIA
- Digby
- North Sydney
- Yarmouth

PRINCE EDWARD ISLAND
- Borden

NEW BRUNSWICK	STATE OF MAINE
Cape Tormentine	Bar Harbor
Saint John	

Most of these locations operate from Government Railway Land, entrusted to the CNR and leased to CN Marine for the purposes of operating ferry terminals.

Management Process

The land associated with CN Marine operations is essentially Canadian Government Railway (CGR) or Newfoundland Railway land, entrusted to the CNR by the Crown and subsequently leased to CN Marine for ferry terminal operations. Lease agreements between CN Marine and the CNR have been drawn up to cover the land and rail-related assets, including buildings and equipment, in certain key areas.

In the case of facilities leased for office space in Moncton, Halifax, and so on, leases have been executed between CN Marine and the various landlords. As previously described, land required for the purposes of ferry operations is normally acquired by leasing CGR land for CN Rail. With separate Crown Corporation status pending, the federal government will decide which properties are required for ferry operations.

Regional offices determine the land and facilities required to perform their tasks, and headquarters negotiates the agreements and maintains the records.

PART 4

OBSERVATIONS

TABLE 14: SUMMARY OF CURRENT ORGANIZATIONAL STATUS

DEPARTMENT AGENCIES	MAJOR COMMERCIAL PORTS	PUBLIC HARBOURS	GOVERNMENT WHARVES (rec/com)	NAVIGATIONAL AID	FERRIES	DREDGING	SHIP MOVEMENT	ENABLING LEGISLATION
CMTA (MOT)								
. Harbours & Ports		x	x			xx	x	Public Harbours and Port Facilities Act (1977)
. Canada Ports Corp.	x							
. Harbour Commis.	x					xx	x	Canada Ports Corporation Act (1983)
. SLSA						xx	x	Harbour Commission Act (1964)
. CCG			x	x		x	x	St. Lawrence Seaway Authority Act (1970)
			x	x		x		Canada Shipping Act (1906) (Pilotage Authority Act) (1970)
SCH (DFO)		x	x			xx	x	Fishing and Recreational Harbours Act (1977)
PARKS (DOE)			x	x		x	x	Dept. of the Environment Act
Marine Programme (PWC)			x			xxx		Public Works Act (1970)
DIAND		x	x	x		x	x	Territorial Lands Act - Public Land Grants Act - Northern Inland Waters Act.
CN MARINE			x		x		x	
CAE							x	
RCMP							x	

** functional responsibility but carried out by an other department
*** provides service to program department by agreement

4.1 Summary

There are various types of ports and related facilities in Canada: commercial ports administered by Harbour Commissions and by the Canada Ports Corporation, public harbours, some administered by Small Craft Harbours (DFO) and others by DOT (Canadian Marine Transport Administration - CMTA); and all other government wharves used for commercial traffic, including auto/truck ferries.

However, there are many other agencies involved in the administration of such facilities. For instance, CN Marine administers ferry terminals even though its mandate does not include the ownership of land (most of its facilities being located on lands leased from or assigned by Canadian National Railways or the federal government). This non-ownership policy may be subject to change as CN Marine moves closer to separate Crown corporation status. DIAND is responsible for the management of northern lands, water lots and the territorial seabed under title to the Federal Crown. The Canadian Coast Guard has functional and territorial responsibility for maintaining and providing navigational aids as well as other marine services, such as dredging navigation channels under its responsibility. The St. Lawrence Seaway Authority (SLSA) maintains the Seaway system from Montréal to Lake Erie and provides all navigational aids to facilitate commercial transport of goods on the Seaway.

In 1973, DPW was obliged to respond to departments' needs for dredging but in 1982 DPW transferred most of its responsibilities as they were written in s.5 of the **Harbours and Piers Act** and paragraph 9(1) A of the **Public Works Act** to DOT. Because no Order-in-Council clarifying the transfer of responsibility from DPW to DOT exists, administrative conflicts have arisen from that situation: DPW still responds to dredging needs of certain departments such as DFO. To date, DPW still provides realty services, retains responsibility for the design/construction/maintenance of dry docks, bridges, and locks under its jurisdiction, and provides facilities as required by federal programs for the development and support of water level control.

Parks Canada is responsible for the management of selected canals and the maintenance of navigational aids along the canals.

Other federal departments that play a minor role in the administration of ports (specifically ports of entry) are Customs and Excise and the RCMP. Environment Canada may play the role of environmental intervenor when hydrological and water quality problems arise. These roles, however, have not been reviewed in this report.

Table 14 gives an overview summary of the current organizational status of departments and agencies involved.

TABLE 15: DETAILED SUMMARY OF MARINE FACILITIES (FEDERAL)

Departments	Total Number of Properties	Area Administered (ha)	Total Area Held	Total Land Held Excluding Waterlots
DOT[1]	3 647	45 646	44 273	29 706
DFO	2 664	2 184	2 161	671
PWC	1 173	17 991	15 349	10 481
DOE	392	22 229	22 198	3 576
CPC	150	36 725	36 725	3 243
SLSA	55	10 757	10 757	5 697
HC	n/a	14 224	n/a	n/a
OTHERS[2]	131	2 974	n/a	n/a
IAN	10	18	3	2
TOTAL	8 222	152 748	131 466	53 376

Source: 1985-86 CRPI listings - Land Use Code (700) Transportation - navigational aids (800) Harbours and Shoreline Installation.

1 Includes HPD holdings, CCG, HC and other holdings administered by the CMTA not reported.

2 Other categories include by order of importance; NCC, DND, NTC, CCM, COM, RCM, CAE, CLC, CBC, CLQ, CPO, NHW

4.2 Area/Number of Facilities

In order to put some perspective on marine facilities in Canada, statistics and various ratios on marine lands and facilities were compiled. The amount of land occupied by each department is presented in Table 15. DOT administers approximately 80,000 ha which represents almost half of the total land used for marine facilities in Canada, making DOT the largest marine land holder in Canada. Figure 5 portrays the relative importance of each department with regard to marine lands and facilities. Figure 6 illustrates that DOT is the largest land holder, followed by CPC and DFO. Figure 7 compares the total land owned (excluding waterlots) to the total land administered by these agencies. DOT remains the largest holder, but the table also highlights the percentage of waterlots and leased land administered by Canada Ports Corporation, DOE and PWC.

4.3 Highlights

The study was designed to provide a general overview of land management practices associated with marine facilities and while it does not attempt to evaluate all the procedures in place, it does highlight certain characteristics and commonalities of departmental approaches.

In particular, the study has noted that:

- DOT holds 44% of all marine holdings followed by DFO (32%) and PWC (14%). The department with the largest proportion of marine land and facilities remains DOT. CPC ranks second and DOE third.

- Some departments proportionally have more waterlot area than dry land area. DIAND ranks first and DOE, second. A high proportion of canals and gauging stations explains why more waterlots are part of their inventory. DOT with its many harbour, ports and wharves ranks third.

- One of the largest marine-oriented federal landholders is DOT, which holds 93 128 hectares or 60% of all lands used for marine facilities. This department has the largest capital expenditure budget for site acquisition and construction of new facilities. Within that department, the Canada Ports Corporation (40%) and National Harbour Commissions (15%) are the most important landholders and have significant budgets for port operation.

4.4 Commonalities of departmental approach

- All departments with marine land and facilities have or are currently preparing land management policies and instructions related to their marine land programs.

FIGURE 5: % OF HOLDINGS OWNED BY DEPARTMENTS

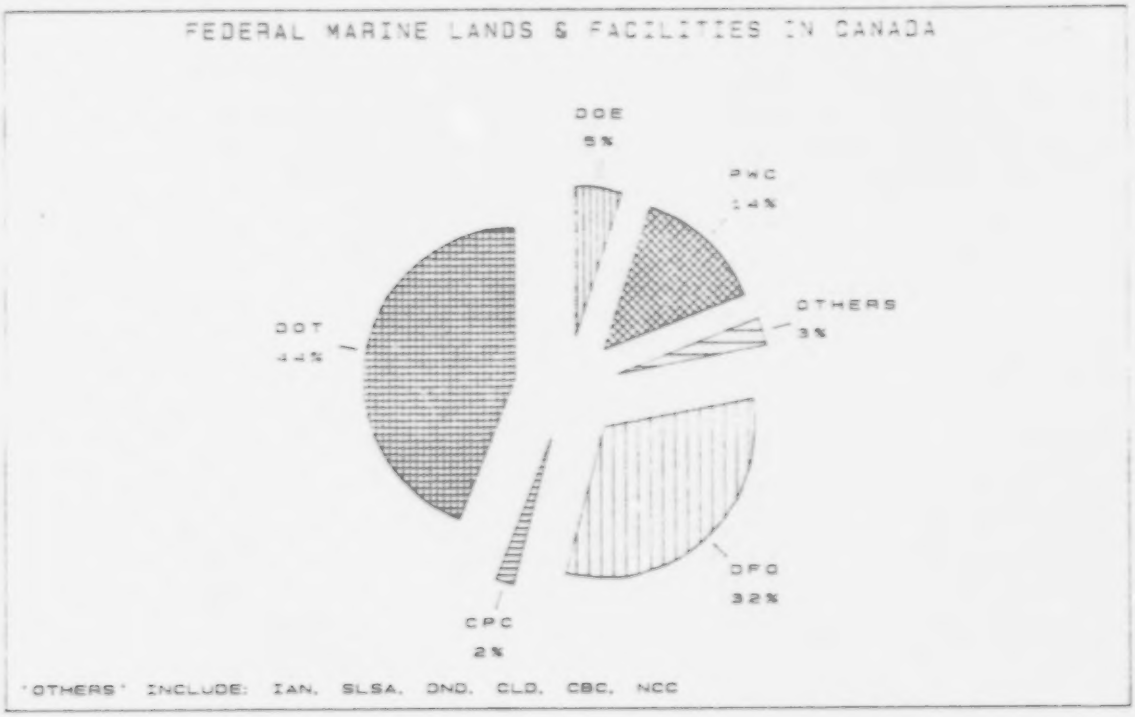


FIGURE 6: % OF TOTAL AREA OWNED BY DEPARTMENTS

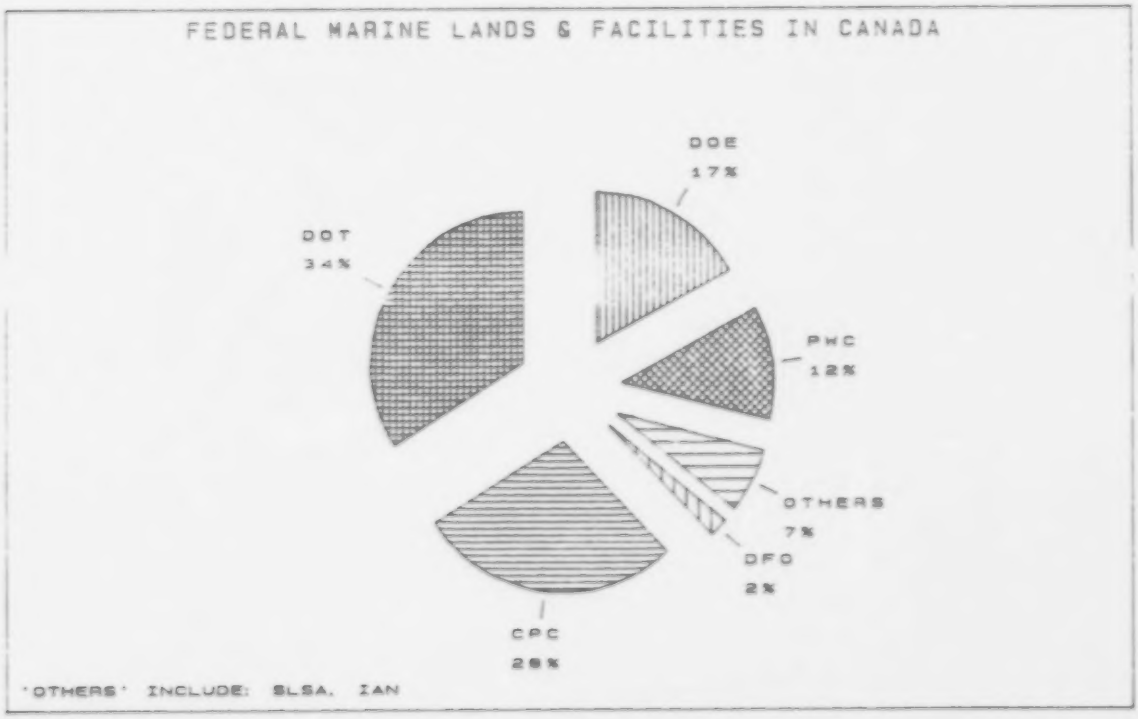
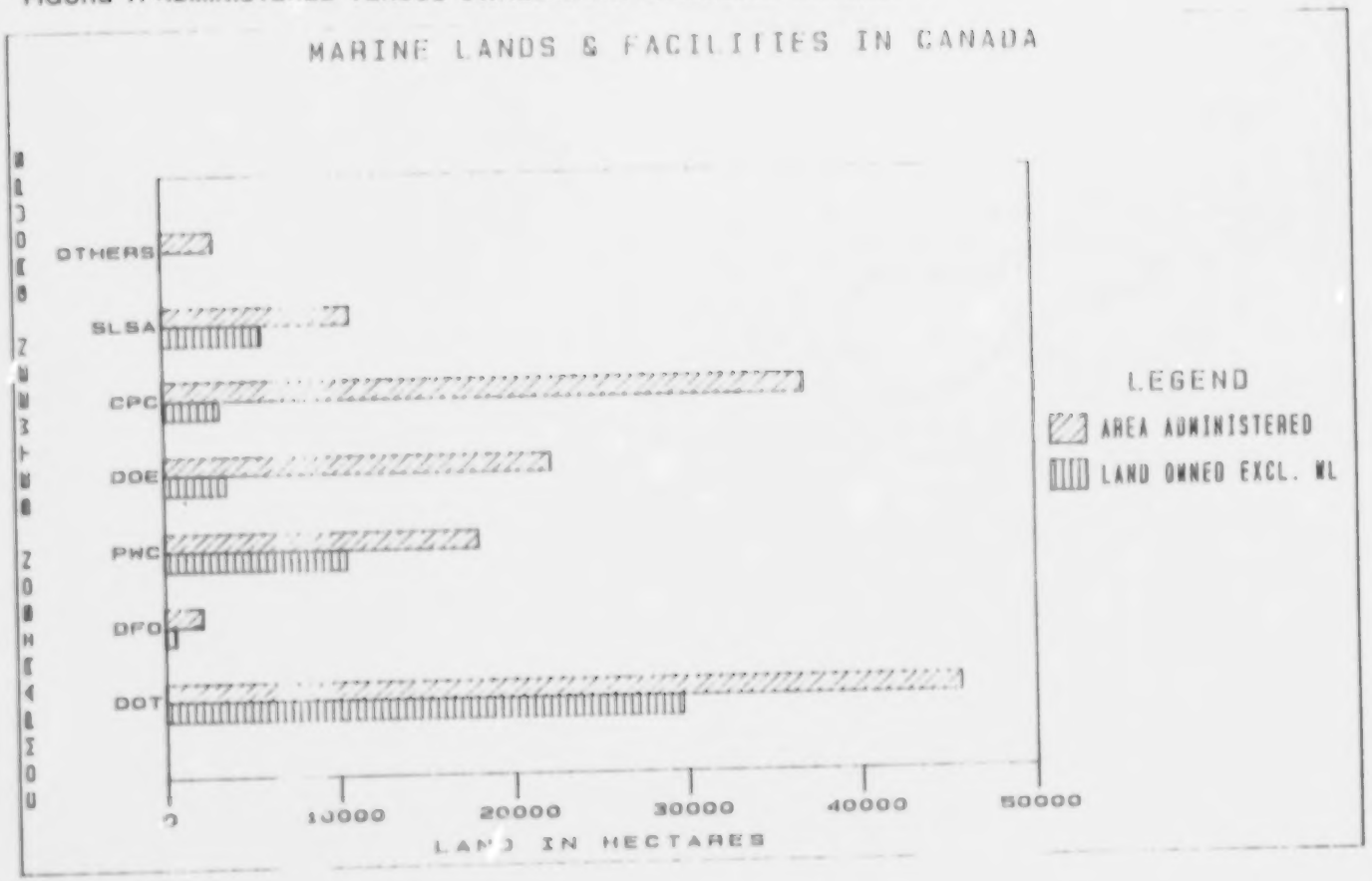


FIGURE 7: ADMINISTERED VERSUS OWNED LAND EXCLUDING WATERLOTS



- Most departments concerned with marine facilities and land have established agreements with the other agencies to clarify administrative responsibilities.

- Other departments such as SCH (DFO) have been expanding their property holdings through an active program of adding to original acquisitions (by transfer and purchase) and through the planning of new facilities.

- For most departments, needs for new facilities are usually identified at the regional level and are approved by the director HQ and Treasury Board. The demand factor (public interest groups, commercial markets) determines the requirements for lands and related facilities.

- Properties not currently required for program purposes are leased out to other departments or individuals. Properties are sold at market value and revenues from the sale are deposited either in special development funds or in the central revenue fund.

4.5 Trends

A number of trends have been identified from the review of departmental land requirements, transactions and the general economic climate.

Since 1970, there has been a steady decrease in the total volume of cargo loaded and unloaded. However, even though this has meant less cargo to handle, the specialization of ports and changing shipping and cargo handling technologies have both impacted on the land requirements. Extensive back-up space is required because of use of containers.

The trend of having general cargo and bulk terminals and requirements for deep water are causing decentralization of port facilities away from old port locations (Montréal and Québec are an example). Most of the waterfront lands in the old port sections are being returned to other uses such as residential, commercial and recreational uses (Québec, Montréal, Toronto are examples).

Land requirements for DOT to accommodate new port facilities or expansion of existing facilities are expected to be moderate; most of the necessary facilities are already in place.

The current trend for SCH (DFO) is to provide facilities where they are required by municipalities and individuals. The acquisition of land involves mostly transfers rather than purchases. It is not clear if this trend will continue into the future.

Other departments and agencies such as CCG, SLSA and CN have seen no new activities that have required additional acquisition of land.

4.6 Management Concerns and Issues

Issues, concerns and trends that have been identified in the course of this study relate to ownership, jurisdiction, and real property inventories.

4.6.1 Ownership

Many departments such as DOT, PWC and DFO have been and continue to be faced with problems related to the question of "Who owns water lots in public harbours?" The control of water lots is important because it affects harbour and upland development. PWC (Atlantic Region) is currently investigating the possibility of establishing formal agreement with New Brunswick (Department of Natural Resources), to determine which harbours were public at Confederation as well as identifying which harbours are public today. The governments also want to establish an agreement on boundaries of harbours. Discussions to establish a federal-provincial agreement on water lot ownership (background paper prepared by PWC, SCH-DFO, Ports and Harbours-DOT) were still on-going as of the writing of this report.

4.6.2 Jurisdiction

Although a rationalization of departments' roles with regards to the management of marine facilities has been on-going throughout the years, problems dealing with jurisdiction remain. First, there is a need to clarify the definition of a public harbour in which departmental responsibilities overlap. According to Policy Circular no. P1 of April 1984 that deals with the Proclamation of Public Harbours, such clarification is still required. The confusion stems from the fact that some recreational vessels are used for non-recreational purposes (for example, transporting goods and people). The **Fishing and Recreational Harbours Act** does not make the fine distinction between the type of vessel and its use, but provides for DFO administration of facilities for recreational vessels and occupants. Locations where recreational vessels transport goods and persons, should be overlooked by DOT (Ports and Harbour Directorate).

Another current concern is overlapping departmental responsibilities with regards to such functions as dredging. A report prepared by an Interdepartmental Committee on Dredging Policy (1983) identified clearly administrative problems in marine dredging jurisdiction. The current situation regarding navigational dredging is best depicted by a lack of clarity with regard to responsibility towards recreational boating channels. In some instances, DFO would appear logically to have the dredging responsibility and in others, DOT.* Outside harbour limits, a particular channel would be dredged by DFO (for fishing/recreational needs) or by DOT (for

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* Parks, SLSA, and other port agencies would retain territorial responsibility for dredging within their geographical limits, independent of the nature of the activity within that territory. PWC would maintain full responsibility for all dredging and associated engineering services.

commercial transportation needs). These policy proposals are recommended for approval by the Committee. Included on this Committee were Supply and Services Canada, the Bureau of Management Consulting, Environment Canada (Parks), Fisheries and Oceans, the Office of the Comptroller General, Ports Canada, the Privy Council Office, Public Works Canada, the St. Lawrence Seaway Authority, Transport Canada, and Treasury Board.

Recommendations in the report include amending the **Fishing and Recreational Harbours Act** giving Fisheries and Oceans extensive responsibilities in dredging as well as decreasing PWC dredging equipment by 30 to 40%. These recommendations must be approved by Treasury Board before being implemented.

4.5.3 Land Records

There have been many changes to departmental responsibilities since 1973. More specifically, a series of initiatives to restructure PWC as a service agency have been taken to transfer program responsibility to other departments, notably DOT, DFO, and Environment Canada (Parks). Departmental transfers of marine facilities responsibilities have not guaranteed a complete and updated transfer of property records. Certain properties have been excluded from the inventory and at times, additional research is necessary before the record can be part of the inventory. Therefore, due to the scattered and inconsistent nature of information on marine holdings, complete and updated departmental inventories of owned or leased properties are not available. Information on holdings is usually stored on a cardex-type format as opposed to an automated format but many departments are now moving towards computerizing transactions and property information.

4.6.4 Management of Installations

It is important to note here that Treasury Board (TB) plays a most decisive role in Federal Land Management (FLM).

Compliance with the FLM guidelines (acquisition, disposal, lease, change in use) by federal land managers is supervised by the Treasury Board Advisory Committee on Federal Land Management (TBAC/FLM).

Corporations and agencies reviewed in this study comply to the spirit and intent of the FLM principle. They also usually have or are currently preparing a land management policy manual based on the FLM process and principle in their own name.

In terms of the environmental perspective of planning and managing installations, all those agencies and corporations under the CMTA are subject to the federal Environmental Assessment Review Process (EARP).

4.7 Future Directions

In March 1986, the Neilson Task Force's review on Federal Real Property was published. The Task Force viewed federal marine facilities and the federal presence in certain harbours excessive in the context of the economic benefits it precipitated.

The Task Force made several recommendations to the Government including the transfer of some holdings to the private sector and the operation of the remaining holdings on a cost recovery basis. The Task Force also recommended that the Government retain, through DFO and DOT, harbours and ports required to support isolated communities, but that it should sell other harbours (public, recreational and unneeded fishing harbours) for the best price possible. Financial self sufficiency was recommended for operating all harbours not sold or simply maintained. It is not known at this time if, how or when these recommendations will be accepted and applied.

One overriding trend that seems to be emerging, however, is the Government's desire to continue decentralizing the management of ports and to devolve administrative and financial responsibilities on to the local and regional entities.

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APPENDIX 1

List of Resource Contacts

DEPARTMENT OF TRANSPORT

Mr. O. Potvin - Chief
Lands and Real Estate
Harbours and Ports
Canadian Marine Transportation Administration
Place de Ville
Tower A, 12th Floor
Ottawa, Ontario
(613) (996-4220)

Mr. P.-E. Drapeau - Acting Director
Economic and Technical Development
Harbours and Ports
Place de Ville
Tower A, 12th Floor
Ottawa, Ontario
(613) (993-5194)

Mr. G. Jolicoeur - Aids to Navigation
Canadian Coast Guard
Tower A, 6th Floor
Ottawa, Ontario
K1A ON7
(613) (998-1386)

Mr. B. Good - Chief
Land Management
St-Lawrence Seaway Authority
202 Pitt St.
Cornwall, Ontario
K2G 3P7
(613) 932-5170

Mr. M. Randall - Real Property Section
Ports Canada
320 Queen St., 16th Floor
K1A ON6
(613) (996-6184)

Mr. H.A. Anderson - Chairman
Port Alberni Harbour Commission
2750 Harbour Road South
P.O. Box 99
Port Alberni, British Columbia
V9Y 7M6

Mr. J. Argo, Q.C. - Chairman
Hamilton Harbour Commission
605 James Street North
Hamilton, Ontario
L8L 1J9

Mr. C. Brown - Chairman
Fraser River Harbour Commission
713 Columbia Street, Suite 505
New Westminster, British Columbia
V3M 1B2

Mr. J. Clifford - Chairman
Toronto Harbour Commission
60 Harbour Street
Toronto, Ontario
M5J 1B7

Mr. A. Furlong - Chairman
Oshawa Harbour Commission
1050 Farewell Street
P.O. Box 492
Oshawa, Ontario
L1H 6N6

Mr. P.J. Gilbride - Chairman
Lakehead Harbour Commission
P.O. Box 2266
Thunder Bay, Ontario
P7B 5E8

DEPARTMENT OF FISHERIES AND OCEAN

Mr. B. Hosler - Chief
Harbour Management Division
Harbour Development Branch
Small Craft Directorate
200 Kent
Ottawa, Ontario
K1A 0E6
(613) (993-2972)

DEPARTMENT OF THE ENVIRONMENT

Mr. P. Bryan - Chief
Realty Policy, Audit and Development Division
Realty Services Branch
Parks Canada
Terraces de la Chaudiere
10 Wellington, Rm 314
Ottawa, Ontario
K1A 1G2
(613) (994-2444)

DEPARTMENT OF PUBLIC WORKS

Mr. J. Coke - Acting Director
Design and Construction
Marine Directorate
Public Works
Sir Charles Tupper Bldg.
Riverside Dr.
Ottawa, Ontario
K1A 0M2
(613) (998-8171)

Ms. C. Goyette - Chief
FLM Policy & Procedure
Property Development
Real Estate Service Directorate
Sir Charles Tupper Bldg.
Ottawa, Ontario
K1A 0M2
(613) (998-8575)

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

Mr. C. Cuddy - Land Management Division
Northern Renewable Resources Directorate
Northern Environment Branch
Terrace de la Chaudière
10 Wellington, North Tower
Hull, Québec
K1A 0H4
(613) (997-0663)

CN MARINE

Mr. C. Heenan - Manager
Planning and Administration
100 Cameron St.
Moncton, N.B.
E1C 5Y6
(506) 858-3600

APPENDIX 2

Administration and Management of Marine Facilities in Canada

Goal:

Information-oriented study designed to examine and clarify the roles of various federal departments and agencies which administer and/or operate marine facilities, e.g. wharves, water lots, ports, harbours, haul-outs, navigational aids, canals, ferry terminals, boat launches, etc.

Objectives:

- To inventory agencies/organizations involved in administration and management of marine facilities.
- to describe evolution of changes in departmental mandates
- to identify marine program requirements for land
- to describe types of property transactions
- identify marine properties management issues

Justification

The present administration and control of federal marine facilities in Canada has evolved since Confederation in response to changing needs and aspirations of successive governments and the public at large. Overlaping mandates and programs have led to some confusion as to centres of responsibility. The three principle federal agencies involved, Transport, Public Works and Fisheries and Oceans, are presently rationalizing their waterfront holdings and roles against existing mandate and program objectives.

Recent Area Screening Canada (ASC) studies presented for TBAC/FLM review by the Department of Public Works (DPW) have highlighted the overlap of management and ownership of marine facilities (e.g. Vancouver Island, Victoria and Vancouver, (BC), Halifax, (NS), Chicoutimi, (Qué)) and as well, have identified a number of other federal agencies involved in the nation's waterfronts: the Department of the Environment (Parks Canada, CWS, IWD), the Department of National Defence (DND), and a number of Crown Corporations.

To seek greater clarification in regards to marine facilities administration and control, background research and interviews will be undertaken leading to an information-oriented report.

INFORMATION OUTLINE

Administration and Management of Marine Facilities in Canada

1. Historical perspective of marine facilities administration

- provincial/federal responsibilities in regards to marine facilities (since Confederation)
- major chronological changes in the respective roles of departments to help identify and demonstrate the changes in responsibilities within the administrative system
- definition of the marine facilities and ports context
- facts/policies underlying administrative organization/reorganization of marine facilities

2. Present Administrative Structure (by department)

- identify mandates, objectives and responsibilities of departments: acts administered, authorities delegated (according to which policies/acts/ guidelines/orders-in-council)
- obtain organization charts of departments involved, including regional links
- marine facilities management programs: describe programs, objectives and limits of responsibility
- description of interrelationships between administrative systems: relate to questions of development/management of marine properties

3. Property Management

property inventory

- number of departmental properties; type of facilities
- location and size of properties; tenure - whether leased/owned
- property inventory; what type of information is gathered; how is the information stored; what is the frequency and the method used to update property records

financial arrangements

- types of agreements
- income from properties; what happens to revenue generated; are properties leased or sold according to market value
- grants in lieu of taxes; responsibilities of lessees regarding taxes; obligations regarding municipal services

management process

- reporting structure for decision making
- how are marine facilities needs identified; describe process; put needs in perspective with operational needs/program
- describe departmental procedure to obtain TB approvals
- criterias used to land acquisition/agreements for leasing land, special arrangements

Administration and Management of Marine Facilities & Lands in Canada

NAME: _____ TITLE: _____

ADDRESS: _____

_____

_____

a) List legislation, policies, guidelines that deal with management of marine facilities. Identify objectives in regards to management of facilities and lands.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

b) Highlight chronological changes of management/administrative responsibilities within your service. What committees/agencies and other structures deal with this land use. How are the responsibilities between regions and headquarters regions shared.

_____

_____

_____

_____

_____

_____

_____

_____

c) Is there a property record inventory? If so, what kind of information is gathered and in which medium is it stored (ie. cardex file, computerized).

d) How many properties are managed (owned/leased) by your agency and describe briefly management process involving acquisition (owned or leased; lands) alienation and change in use.

Administrative policy manual
Executive summary

Chapter S 110

Real property - general

December 1980

It is the policy of the government that federal real property be managed economically and efficiently and that it be managed so as to combine the efficient provision of government services with the achievement of wider social, economic and environmental objectives. This chapter presents policy provisions that apply throughout the real property life cycle of acquisition, use and disposal. It provides a list of factors that must be considered most frequently in making real property decisions and provides guidelines for analysis.

Mechanisms have been established to implement the federal land management principle, which applies to all lands within Canada held in Right of Canada, with the exception of:

- Indian lands,
- lands occupied and administered as national parks and historic sites, and
- territorial lands as defined in the Territorial Lands Act.

With certain exceptions, departments shall refer their proposed acquisitions, significant changes in land use and disposals to the Treasury Board Advisory Committee on Federal Land Management (TBAC/FLM) for review at the earliest possible stage in their land management planning process. Before referring their acquisition requirements to TBAC/FLM, however, departments should consult with the Department of Public Works (DPW) concerning availability of land.

Departments should manage their real property in a manner consistent with the principle that federal buildings should be accessible to the handicapped.

DPW shall maintain a Central Real Property Inventory in which a record shall be kept of all real property holdings. Departments are required to report to DPW all revisions, acquisitions and disposals as they occur; to review their holdings as published in inventory printouts and bring to the attention of DPW any errors or omissions; and to ensure that departmental inventories are compatible with, and keyed to, the central inventory.

Under the *BNA Act*, land or property belonging to Canada is not liable to taxation. However, the government may pay grants in respect of real property where authorized by the *Municipal Grants Act*. That Act is administered by the Municipal Grants Division of DPW.

Manuel de la politique administrative
Sommaire pour la direction

Chapitre S 110

Biens immobiliers - généralités

Décembre 1980

Le gouvernement a pour politique d'administrer les biens immobiliers fédéraux de façon économique et efficiente et de manière à allier la prestation efficace des services gouvernementaux à la réalisation d'objectifs sociaux, économiques et environnementaux plus vastes. Le présent chapitre expose les mesures à prendre, en vertu de cette politique, pendant toute la durée utile d'un bien immobilier (acquisition, utilisation et aliénation). Il donne une liste des facteurs les plus courants dont il faut tenir compte lors de la prise de décisions en matière de biens immobiliers et des lignes directrices pour les analyses.

On a adopté des mécanismes visant à mettre en oeuvre le principe de la gestion foncière fédérale, lequel vise tous les terrains détenus au pays au nom du Canada, à l'exception:

- des terres des Indiens,
- des terres occupées et administrées en tant que parcs nationaux et lieux historiques, et
- des terres territoriales telles que définies dans la Loi sur les terres territoriales.

Dans le cadre de leur processus de planification de la gestion foncière, les ministères doivent soumettre, le plus tôt possible, leurs projets d'acquisition, de modification importante de l'affectation d'un terrain et d'aliénation, sous réserve de certaines exceptions, au Comité consultatif du Conseil du Trésor chargé de la gestion foncière fédérale (CCCT/GFF) pour fins d'étude. Toutefois, avant de présenter leurs besoins d'acquisition au CCCT/GFF, les ministères devraient consulter le ministère des Travaux publics (MTP) au sujet de la disponibilité d'un terrain.

Les ministères devraient planifier l'acquisition et l'utilisation de biens immobiliers de façon à bien respecter le principe que tous les immeubles fédéraux devraient être accessibles aux handicapés.

Le MTP doit tenir à jour un Répertoire immobilier central comportant un registre de tous les avoirs immobiliers. Les ministères sont tenus de signaler sans délai au MTP les modifications apportées, les acquisitions et les aliénations; de vérifier les avoirs qui leurs sont attribués dans les diverses éditions du répertoire et de porter à l'attention du MTP toute erreur ou omission; et de s'assurer que leurs propres répertoires sont compatibles et cadrent avec le répertoire central.

En vertu de *l'AANB*, les terrains et propriétés appartenant au Canada ne sont pas imposables. Par contre, le gouvernement peut verser des subventions à l'égard des biens immobiliers lorsque la *Loi sur les subventions aux municipalités* l'autorise. Ladite loi est appliquée par la Division des subventions aux municipalités du MTP.

Chapter S 112

Real property - acquisition

December 1980

It is the policy of the government that federal real property be managed economically and efficiently and that it be managed so as to combine the efficient provision of government services with the achievement of wider social, economic and environmental objectives. This chapter presents policy provisions that apply to the acquisition of real property. Chapter 110 provides a list of factors that must be considered most frequently in making real property acquisition decisions and guidelines for analysis.

The real property acquisition process moves through a number of distinct stages:

- definition of requirement;
- analysis of requirement;
- development of alternatives;
- analysis of alternatives;
- the real property acquisition decision;
- the real property acquisition.

Throughout the process, departments should direct their activities towards three fundamental objectives: the efficient provision of government services, the efficient use of the real property, and the achievement of wider social, economic and environmental objectives.

The key elements of the real property acquisition process are:

(a) program departments should define their real property acquisition requirements as broadly as possible and communicate their requirements to acquisition departments as early as possible;

(b) the acquisition department shall analyze the requirement and, in consultation with the program department, satisfy itself that it provides all the information required to permit a real property acquisition in accordance with this chapter;

(c) in seeking real property to satisfy the requirements, a survey should be made, in turn, of land held by the department, by other federal departments and agencies, by provincial or municipal governments and by private interests. This chapter provides a list of the common interests in land that might be acquired and the most frequent combinations of real property acquisition with renovation and construction that might be used;

Chapitre S 112

Biens immobiliers - acquisition

Décembre 1980

Le gouvernement a pour politique d'administrer les biens immobiliers fédéraux de façon économique et efficiente et de manière à allier la prestation efficace des services gouvernementaux à la réalisation d'objectifs sociaux, économiques et environnementaux plus vastes. Le présent chapitre expose les mesures à prendre, en vertu de cette politique, pour l'acquisition d'un bien immobilier. Le chapitre 110 donne une liste des facteurs les plus courants dont il faut tenir compte lors de la prise de décisions en matière d'acquisition des biens immobiliers et des lignes directrices pour les analyses.

La méthode d'acquisition de biens immobiliers comporte un certain nombre d'étapes distinctes:

- la définition du besoin;
- l'analyse du besoin;
- l'élaboration des diverses solutions possibles;
- l'analyse des diverses solutions;
- la décision d'acquérir des biens immobiliers;
- l'acquisition de biens immobiliers.

Tout au long de cette démarche, les ministères devraient concentrer leurs efforts sur trois objectifs fondamentaux: la satisfaction efficace d'un besoin et, partant, la prestation efficace des services gouvernementaux; l'utilisation efficace des biens immobiliers; et la réalisation d'objectifs sociaux, économiques et environnementaux plus vastes.

Les éléments importants de la méthode d'acquisition de biens immobiliers sont:

a) le ministère responsable du programme devrait définir le plus globalement possible ses besoins concernant l'acquisition de biens immobiliers et faire connaître le plus tôt possible ses exigences au ministère acquéreur;

b) le ministère acquéreur doit analyser le besoin et, de concert avec le ministère responsable du programme, s'assurer qu'il a en main toutes les données nécessaires pour permettre l'acquisition de biens immobiliers conformément aux dispositions du présent chapitre;

c) au cours de la recherche de biens immobiliers pour satisfaire un besoin, il faudrait effectuer une enquête sur les terrains que détiennent le ministère, les autres ministères et organismes fédéraux, les administrations provinciales et municipales et des particuliers. Le présent chapitre présente une liste des intérêts ordinaires liés aux terrains qu'on pourrait acquérir et les combinaisons les plus fréquentes qui peuvent être utilisées pour faire l'acquisition de biens immobiliers comportant rénovation ou construction ou les deux;

(d) recommendations for acquisition decisions including submissions to the Treasury Board should include summary descriptions of the alternatives considered and comparisons of the advantages and disadvantages of the alternatives and the reasons for selecting the recommended alternative;

(e) based on the analysis and consideration of the alternatives, the department whose appropriation provides the funds decides on the acquisition. Departments should keep a record of each real property acquisition decision;

(f) departments shall refer their proposed land acquisitions, with certain exceptions, to the Treasury Board Advisory Committee on Federal Land Management for review; and

(g) the competitive process should be utilized in acquiring real property whenever feasible.

d) les recommandations relatives aux décisions d'acquisition, y compris les présentations faites au Conseil du Trésor, devraient comprendre un bref exposé des solutions possibles envisagées, une comparaison des avantages et des inconvénients de chaque solution ainsi que les facteurs qui ont motivé le choix de la solution recommandée;

e) compte tenu de l'analyse et de l'étude des diverses solutions, la décision relative à l'acquisition revient au ministère qui fournit les fonds à même ses crédits. Les ministères devraient tenir un dossier relatif à chaque décision d'acquérir des biens immobiliers;

f) les ministères doivent soumettre leurs projets d'acquisition de terrains, sous réserve de certaines exceptions, à l'examen du Comité consultatif du Conseil du Trésor chargé de la gestion foncière fédérale; et

g) il faudrait dans la mesure du possible recourir à l'appel d'offres à l'acte d'acquisition de biens immobiliers.

Chapter S 115

Real property - use

December 1980

It is the policy of the government that federal real property be managed economically and efficiently and that it be managed so as to combine the efficient provision of government services with the achievement of wider social, economic and environmental objectives. This chapter presents policy provisions that apply to the use of real property. Chapter 110 provides a list of factors that must be considered most frequently in making decisions on the use of real property and guidelines for analysis.

Departments shall periodically review the use of the lands of which they have administration and control or right to use. These reviews should address the use of land from the viewpoint of three fundamental objectives:

- the efficient fulfilment of the requirement, and through this, the efficient provision of government services;
- the efficient use of federal real property; and
- the achievement of wider social, economic and environmental objectives.

The Area Screening Canada (ASC) Program has been established by the Department of Public Works (DPW) as agent for Treasury Board, to review federal land holdings on a regular cycle and to identify those lands with an apparent potential for improved use. Where an apparent potential for improved use of land has been identified by a departmental or ASC review, departments should seek out ways and means to bring about a better use. To seek an improved use, departments should review their current and forecast program requirements. If no additional use is found, departments should consult DPW to determine whether the search for an improved use should be pursued in or outside the federal government or be terminated. In the former case, DPW and the department will jointly develop and propose to the Treasury Board Advisory Committee on Federal Land Management (TBAC/FLM) a plan to achieve an improved use. Such a plan could involve the disposal of the property or part thereof by letting, sale or other means but it should contain provisions for the continued fulfilment of the existing requirement.

Departments shall refer any proposed change in the use of land, with certain exceptions, to the TBAC/FLM for review.

Chapitre S 115

Biens immobiliers - utilisation

Décembre 1980

Le gouvernement a pour politique d'administrer les biens immobiliers fédéraux de façon économique et efficiente et de manière à allier la prestation efficace des services gouvernementaux à la réalisation d'objectifs sociaux, économiques et environnementaux plus vastes. Le present chapitre expose les mesures à prendre, en vertu de cette politique pour l'utilisation d'un bien immobilier. Le chapitre 110 donne une liste des facteurs les plus courants dont il faut tenir compte lors de la prise de décisions en matière de l'utilisation des biens immobiliers et des lignes directrices pour les analyses.

Les ministères doivent examiner périodiquement l'utilisation qui est faite des terrains dont la gestion et le contrôle leur incombent ou dont ils détiennent le droit d'utilisation. Ces examens doivent porter sur l'utilisation du terrain en fonction de trois objectifs fondamentaux:

- la satisfaction efficace d'un besoin et, partant, la prestation efficace des services gouvernementaux;
- l'utilisation efficace des biens immobiliers; et
- la réalisation d'objectifs sociaux, économiques et environnementaux plus vastes.

Le programme Dossier urbain Canada (DUC) a été mis en place par le ministère des Travaux publics (MTP), à titre d'agent du Conseil du Trésor, en vue d'examiner à intervalles réguliers la propriété foncière fédérale et de déceler les terrains susceptibles d'être mieux exploités. Lorsqu'un examen effectué par un ministère ou un examen DUC révèle une possibilité d'améliorer l'utilisation d'un terrain, les ministères devraient chercher les façons et les moyens d'apporter cette amélioration. Lorsqu'ils cherchent à mieux utiliser un terrain, les ministères devraient examiner les besoins actuels et prévus de leurs programmes. Si leur recherche s'avère vaine, ils devraient consulter le MPT pour décider si cette recherche doit se poursuivre, soit au sein soit à l'extérieur de l'administration fédérale, ou s'il faut y mettre fin. Dans le premier cas, le MTP et le ministère élaboreront ensemble un plan en vue d'améliorer l'exploitation du terrain et le proposeront au Comité consultatif du Conseil du Trésor chargé de la gestion foncière fédérale (CCCT/GFF). Ce plan pourrait entraîner l'aliénation de la propriété, en tout ou en partie, par la cession à bail, la vente ou tout autre moyen; mais il devrait aussi contenir des dispositions assurant que l'on continue à répondre au besoin existant.

Les ministères doivent soumettre tout projet de réaffectation d'un terrain, sous réserve de certaines exceptions, au CCCT/GFF pour fins d'examens.

Chapter S 118

Real property - disposal

December 1980

It is the policy of the government that federal real property be managed economically and efficiently and that it be managed so as to combine the efficient provision of government services with the achievement of wider social, economic and environmental objectives. This chapter presents policy provisions that apply to the disposal of real property. Chapter 110 provides a list of factors that must be considered most frequently in making decisions on the disposal of real property and guidelines for analysis.

Real property is normally disposed of under the *Surplus Crown Assets Act* or the *Public Land Grants Act*. Many lettings of government real property are subject to the *Public Lands Leasing and Licensing Regulations* and the *Public Works Leasing Regulations*.

Departments shall report to the Department of Public Works (DPW) real property that is no longer required to meet their operating needs. Departments will be relieved of the responsibility for surplus real property when it is transferred to DPW. They should include in the transfer all appurtenances, fixtures and installed equipment whose removal would be detrimental to the future use of the real property.

When a department reports to DPW a real property that is no longer required to meet its program requirements, DPW will determine whether any department has a requirement or can forecast a future requirement for the excess real property. If it is determined that no department has a requirement, DPW will consider the release of the real property from federal ownership.

In letting their real property departments should be guided by such objectives as:

- to achieve program objectives;
- to maximize revenues from real property temporarily not required;
- to provide services in support of government programs, the public served

Chapitre S 118

Biens immobiliers - aliénation

Décembre 1980

Le gouvernement a pour politique d'administrer les biens immobiliers fédéraux de façon economique et efficiente et de manière à allier la prestation efficace des services gouvernementaux à la réalisation d'objectifs sociaux, economiques et environnementaux plus vastes. Le présent chapitre expose les mesures à prendre, en vertu de cette politique, pour l'aliénation d'un bien immobilier. Le chapitre 110 donne une liste des facteurs les plus courants dont il faut tenir compte lors de la prise de décisions en matière d'aliénation des biens immobiliers et des lignes directrices pour les analyses.

Les biens immobiliers sont habituellement aliénés en vertu de la *Loi sur les biens de surplus de la Couronne* ou de la *Loi sur les concessions de terres publiques*. Le *Règlement sur la concession et la cession à bail des terres publiques* et le *Règlement sur la location à bail d'ouvrages publics* régissent nombre des cessions à bail des biens immobiliers gouvernementaux.

Les ministères doivent signaler au ministère des Travaux publics (MTP) les biens immobiliers *dont ils n'ont plus besoin pour répondre à leurs besoins de fonctionnement*. Les ministères seront dégagés de la responsabilité des biens immobiliers excédentaires au moment où ces biens seront transférés au MTP. Ils devraient inclure dans le transfert la totalité des appartenances, aménagements et matériel installés à demeure dont l'enlèvement serait préjudiciable à l'utilisation ultérieure de la propriété immobilière.

Lorsqu'un ministère lui déclare ne plus avoir besoin d'un bien immobilier particulier pour satisfaire les besoins de son programme, le MTP se renseigne pour savoir si un autre ministère n'a pas un besoin immédiat ou prévu de ce bien. S'il s'avère qu'aucun ministère n'en a besoin, le MTP doit envisager la cession par l'État de son droit de propriété sur le bien immobilier en question.

Lors de la cession à bail de leurs biens immobiliers, les ministères devraient s'inspirer des objectifs suivants:

- réaliser les objectifs du programme;

by those programs, and government employees; and
- to respond to the community needs.

Departments shall periodically review their real property to identify any real property that could be made available for letting in support of objectives such as the above. They shall provide equal opportunity to all qualified potential lessees or licensees to apply for the lease or licence using the most effective and economical means of so doing. Departments shall charge market rents except in the circumstances specified in the policy. Where departments establish rental rates at less than market, they shall clearly document the rationale for such action and should consider, as a minimum, the recovery of incremental costs.

Licences shall be the preferred method of allowing the use of federal lands by others. Easements shall be granted only under conditions specified in the policy. They should be granted for as short a term as possible and shall be such as to minimize any restriction on the concurrent or future use of the land that is subject to the easement or of adjacent Crown Lands. Market value as determined by an appraisal or $500, whichever is larger, shall be charged for grants of easements. Departments shall recover all incremental costs incurred in granting the easement.

Departments shall refer their proposed land disposals, with certain exceptions, to the TBAC/FLM for review.

- exploiter financièrement au maximum les biens immobiliers qui ne servent pas pour le moment;
- fournir des services à l'appui des programmes gouvernementaux, du grand public desservi par ces programmes et des fonctionnaires; et
- répondre aux besoins communautaires.

Les ministères doivent périodiquement examiner leurs biens immobiliers afin de relever ceux d'entre eux qui pourraient être cédés à bail à l'appui d'objectifs comparables aux objectifs susmentionnes. Ils doivent fournir une chance égale à tous les postulants qualifés éventuels d'obtenir un bail ou un permis en employant les moyens les plus efficaces et les plus économiques. Les ministères aligneront leur taux de location sur celui du marché, sauf dans des cas énumérés à cette politique. Lorsque les ministères établissent un taux de location inférieur à celui du marché, ils doivent clairement étayer le fondement de cette mesure et ils devraient au moins envisager d'en recouvrer les frais supplémentaires.

L'octroi de permis doit être considéré comme la meilleure méthode pour autoriser d'autres personnes à utiliser les terrains fédéraux. Le droit d'usage ne doit être octroyé que dans les cas énoncés au présent chapitre. Il faut que l'octroi du droit d'usage se fasse pour la plus courte période possible et ce droit doit être défini de manière à réduire au minimum les restrictions qu'ils pourraient imposer sur l'utilisation simultanée ou future du terrain qui fait l'objet d'un droit d'usage et sur les autres terres adjacentes de la Couronne. Pour l'octroi d'un droit d'usage, il faudra demander la valeur marchande établie par un évaluateur ou $500, en choisissant le plus élevé des deux montants. Les ministères doivent recouvrer tous les frais marginaux relatifs à l'octroi du droit d'usage.

Les ministères doivent soumettre leurs projets d'aliénation de terrain, sous réserve de certaines exceptions, au CCCT/GFF pour fins d'étude.

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ABBREVIATIONS

ASC - Area Screening Canada
CAE - Customs and Excise
CBC - Canada Broadcasting Corporation
CCG - Canadian Coast Guard
CCM - Vieux-Port de Montréal
CGR - Canadian Government Railway
CLC - Canada Land Company
CLQ - Vieux-Port de Québec
CMTA - Canadian Marine Transportation Administration
COM - Department of Communications
CPC - Canada Ports Corporation
CPO - Canada Post Corporation
CN - Canadian National
CNR - Canadian National Railway
CRPI - Central Real Property Inventory
DIAND - Department of Indian Affairs and Northern Development
DFO - Department of Fisheries and Oceans
DND - Department of National Defence
DOE - Department of the Environment
DOT - Department of Transport
DPW - Department of Public Works
DREE - Department of Regional Economic Expansion
EARP - Environmental Assessment Review Program
HC - Harbour Commissions
HPD - Harbours and Port Directorate
ICDP - Interdepartmental Committee on Dredging Policy
LPC - Local Port Corporations
LUAC - Land Use Advisory Committee
MTP - Marine Transportation Program
NAP - Northern Affairs Program
NCC - National Capital Commission
NHB - National Harbours Board
NHW - National Health and Welfare
NTC - Northern Transport Company Ltd.
NLTS - Northern Land Transition System
OIC - Order-in-Council
PCO - Privy Council Office
PWC - Public Works Canada
RCMP - Royal Canadian Mounted Police

RDG - Regional Director General
RRNE - Renewable Resources and Northern Environment (Branch)
SLSA - St. Lawrence Seaway Authority
SCH - Small Craft Harbour
SRCPP - Special Recovery Capital Project Program
TB - Treasury Board
TC - Transport Canada
TLAC - Territorial Land Advisory Committee

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